

Senate Business Labor and Economic Development Committee
Hearing on HB 274 – Paperwork Reduction Act
March 13, 2013

HB 274 – Paperwork Reduction act seeks legislative relief to reduce regulation, administrative burden, and cost to the outfitting industry.

To demonstrate the degree and detail required that will remain in effect even after the passing of HB 274, the following applications and documents have been assembled in this packet of information.

I. Procedures for Outfitter License/Examination Application - Pages 1 – 10.

This 10 page document details Outfitter Application Procedures and Outfitter Qualification and Experience Requirements to legally provide Outfitting services in Montana. All of these requirements currently reside in Administrative Rule.

II. Outfitter License/ Examination Application – Pages 1 – 6

This six page document is the actual application that Outfitter applicants must submit along with appropriate fees.

Notice that applicants must submit a list of all professional licenses they have EVER held along with a request for license verification. There are 11 disciplinary questions that must be answered (pg. 3). Section D requires past experience be identified. Additionally applicants must submit

- Current First Aid Card
- Completed Operations Plan
- NCHU Application
- Supporting Documents as required

The application is a signed Affidavit under penalty of perjury if falsified. Application requirements are established solely by the Department of Labor and processing time is identified as 30 days following receipt of materials.

III. Outfitter Operations Plan – Pages 1 – 6

The Operations plan details the outfitter and business relationship. It contains detailed hunting and fishing services and locations where services take place and establishes the requirement for the L1 forms. The Operations Plan also details equipment and inspections, employee information and proof of insurance (as required in ARM rule). Once originally filed, the plan must be kept up-to-date annually

IV. L-1 Land Use Approval Forms – 3 pages

L-1s are required by the Operations plan for hunting and fishing and must be updated annually. An Operations Plan is not considered complete unless the L-1s are included. Without an approved Operations Plan an Outfitter may not be licensed. L-1s are the most basic of required information. The L-1 is essentially the permission documentation for private lands that will be utilized by Outfitters in the conduct of their business. From the L-1 it can be determined exactly where an Outfitter has permission to operate and how many acres are involved. A separate L-1 must be filled out and filed with the Board of Outfitters as part of the Operations plan for EACH land owner/property. Nothing in HB 274 strikes this requirement.

MONTANA BOARD OF OUTFITTERS

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PROCEDURES FOR: OUTFITTER LICENSE/EXAMINATION APPLICATION

ILLEGIBLE AND INCOMPLETE APPLICATIONS WILL BE RETURNED. APPLICATIONS MUST BE ACCOMPANIED BY REQUIRED FEES. PROCESSING TIME IS APPROXIMATELY 30-DAYS FROM THE DATE THAT THE BOARD HAS A COMPLETE ROUTINE APPLICATION.

"Outfitter" means any person, except a person providing services on real property that the person owns for the primary pursuit of bona fide agricultural interests, who for consideration provides any saddle or pack animal; facilities; camping equipment; vehicle, watercraft, or other conveyance; or personal service for any person to hunt, trap, capture, take, kill, or pursue any game, including fish; and who accompanies that person, either part or all of the way, on an expedition for any of those purposes or supervises a licensed guide or professional guide in accompanying that person. [37-47-101, MCA]

In the state of Montana a person may not advertise, act or otherwise represent to the public that the person is an outfitter without first securing a license from the Montana Board of Outfitters. [37-47-301, MCA]

Section 37-47-101(11), MCA, provides an exemption for *Private Landowners* from the law that governs outfitters. The exemption applies only to those persons providing services on real property that the person owns for the primary pursuit of bona fide agricultural interests. The most common mistake relates to the hiring of guides; there is no landowner exemption for guides and, there is no exemption for a person acting as a guide while working for a landowner.

FEES: Applications must be accompanied with the required fees. Checks or money orders are to be made payable to the Montana Board of Outfitters. All fees are non-refundable.

\$1300.00* New/Original License and Examination Application

\$ 450.00 License Amendment and Examination Application

\$ 150.00 Re-Application

\$ 500.00 * New Operation Plan/Inspection Application

\$ 100.00 Net Client Hunter Use Transfer Application (NCHU) (Hunting Applicants

Only)

* These must be paid by all new applicants; other fees may apply depending on your operations plan.

APPLICATION PROCEDURES: Applicants for an outfitter's license must apply on a form prescribed and furnished by the Board. Applicants must meet the experience and training specifications and other qualifications, then must take and pass a written examination administered by the Board or its agent. Incomplete applications will be returned causing a delay in processing.

- (1) Complete the outfitter license/examination application and operation plan by typing or printing all required parts. (A completed NCHU application must accompany hunting outfitter license application) sign the forms and submit them to the Board office with the required fees. Applications submitted without the required experience may be subject to a re-application process with new fees. It is advised that you check with your endorsing outfitter(s) and insure that you have accumulated the required 100 days of guiding experience before submitting your applications.
- (2) Qualifications will be investigated and experience verified upon receipt of an application. The experience may be verified through review of the endorsing outfitter's annually submitted client report logs.
- (3) Applications must be submitted (30) thirty days prior to the next scheduled examination date. If received after the deadline date, the application will be held for the following examination. Submitting your application by the deadline date does not guarantee that you will be scheduled for the next examination date. Applicants must receive pre-approval of their proposed operations plan by a Board member before being scheduled for the written examination.
- (4) Inspection of equipment and premises will be made by a representative of the Board at a reasonable time following approval of an application.
- (5) Once an application has been verified and approved, the Board office will send written confirmation of the date and time the applicant is scheduled for examination. The examinations are given on the second Tuesday in January, April, July and October. Examinations are held at a pre-scheduled location in Helena, Montana.
- (6) When all the conditions of licensure have been satisfied, including insurance and inspections, have been satisfied, the Board will issue a license stating the outfitter functions that the applicant is qualified and approved to perform. The license is valid for the licensing year in which it is issued and expires on the last day of that license year.

QUALIFICATIONS/EXPERIENCE: An applicant for an outfitter's license must meet experience, training, and testing requirements. Those qualifications and experience requirements are as follows:

- (1) Must be 18 years of age or older, be physically capable and mentally competent to perform the duties of an outfitter. [37-47-302, MCA]
- (2) Must have 100 days of verified experience as a licensed outfitter in another state or a licensed guide working for a licensed outfitter in Montana. The experience must have been achieved while guiding clients in pursuing the types of game and using methods for which licensure is sought by the applicant [ARM 24.171.502].
- (3) Must be qualified to provide all services and use all equipment necessary to provide the functions of an outfitter that applicant's license will authorize him or her to conduct. [ARM 24.171.502]
- (4) Must own or hold under written lease or represent a company, corporation, or partnership who owns or holds under written lease the equipment and facilities that are necessary to provide the services advertised, contracted for, or agreed upon between the outfitter and the outfitter's clients. [37-47-302, MCA]
- (5) Must have demonstrated a respect for and compliance with the laws of any state or of the United States and all rules promulgated under those laws related to fish and game, conservation of natural resources, and preservation of the natural ecosystem without pollution of the ecosystem. [37-47-302, MCA]
- (6) Must have not, at any time, practiced fraud, deception, or material misrepresentation in procuring any previous outfitter's, guide's, professional guide's, or conservation license from the state of Montana. [37-47-302, MCA]
- (7) Must have not, at any time, promulgated any false or misleading advertising relating to the business of outfitting. [37-47-302, MCA]
- (8) Must hold a current basic first aid at all times licensed. [ARM 24.171.412]
- (9) Must hold a valid Montana wildlife conservation license [37-47-304, MCA]

EXPERIENCE WAIVER: In addition to meeting all other qualifications and experience, portions

of the 100 days of verified experience requirements may be waived upon Board approval of training as follows:

- (1) Three days of experience may be waived by the Board for an applicant for every day of training completed by the applicant in the category of licensure applied for (fishing or hunting); subject to a maximum waiver of 30 days, at an outfitter or guide school approved by the Board. [ARM 24.171.502]
- (2) Fifty days of experience may be waived for an applicant purchasing an existing outfitter operation provided that: (1) The applicant receives pre-approval from the Board of a training and instruction plan documenting how and in what capacity the applicant will work with the licensed outfitter from whom the business was obtained; (2) The applicant has entered into a sales agreement with the selling outfitter for the purchase of the operation and the sales agreement provides supervision by the selling outfitter of the applicant during a 12-month period following Board approval of the application; (3) The selling outfitter has a current, approved operations plan on file with the Board; (4) The applicant files and operations plan that is approved by the Board; (5) The applicant works with the licensed outfitter from whom the business was obtained, in operating the business now owned by the applicant, pursuant to the plan approved by the Board, for not less than 12 months following advance approval from the Board. [ARM 24.171.502]

WAIVER PROCEDURES: Waiver requests are submitted to the Board office in writing and must receive full Board approval. The request must clearly specify which type of waiver the petitioner is seeking. When applicable, qualifications and training will be investigated and experience verified prior to Board consideration.

30-DAY WAIVER:

- (1) Submit the written request along with a current copy of the outfitter or guide school curriculum, proof of attendance and successful completion of training, and any other supporting documents and materials pertinent to the waiver.
- (2) Requests must be submitted at least three weeks prior to a regularly scheduled Board meeting. Requests received after the deadline date will be held for the following meeting. Submitting your request by the deadline date does not guarantee that your request will be scheduled for the next meeting. Requests lacking in detail will be returned causing a delay in the process.
- (3) The Board office will send written confirmation of the date and time the appeal is scheduled for review. Board meetings are held four times a year, approximately every three months starting with December and are always held at a pre-scheduled location in Helena, Montana.

- (4) Once a request has been approved by the Board, an application for license may be submitted only after the remainder of the experience and training specifications and other qualifications have been met.

50-DAY WAIVER: This is a three-part process. Part 1 initiates the process for approval of a 12-Month Plan between two parties as a result of the sale of an outfitting business. Part II initiates the process for approval of the results of a completed pre-approved 12-Month Plan. Part III initiates the process of approval of a 50-Day Experience Waiver based on the completion of a pre-approved 12-Month Plan.

Part I -- 12-Month Plan approval process

- 1) The buyer and seller must submit a written request for Board approval of a 12-Month Plan documenting how and in what capacity the applicant will work with the licensed outfitter from whom the business was obtained. The plan must clearly identify what is to be accomplished, what areas of expertise or skills will be learned, how and what knowledge will be obtained. The following identifies some areas of expertise, which may assist applicants in outlining a proposed 12-Month Plan.
 - a. marketing and public relations;
 - b. maintaining advertising;
 - c. maintenance of rate schedules;
 - d. maintenance of complete and accurate client logs;
 - e. guiding techniques;
 - f. setting up of campsites;
 - g. federal and state regulations as applicable to outfitting; laws and regulations;
 - h. federal and state fish and game laws and regulations;
 - i. practical woodsmanship;
 - j. general knowledge of big game;
 - k. field preparation of trophies;
 - l. care of game meat;
 - m. use of outfitters gear as listed on the operation plan;
 - n. knowledge of firearms;
 - o. first aid;
 - p. knowledge of equipment, terrain, and hazards to competently provide a safe experience for those persons guided;

- q. knowledge of game and hunting and techniques to provide the services advertised by the supervising outfitter
 - r. ability to perform the services contemplated with efficiency and with safety to the health and welfare of clients, employees and the public.
 - s. preservation of the natural ecosystem
 - t. provide services in such a manner as not to be detrimental to wildlife or the environment
- (2) Submit verifiable documentation that the applicant owns the outfitting business that constitutes the entire operation of an existing licensed outfitter. The business must have a current approved operation plan on file with the Board.

Part I -- 12-Month Plan approval process (continued)

- (3) Requests must be submitted at least three weeks prior to a regularly scheduled Board meeting. Requests received after the deadline date will be held for the following meeting. Submitting your request by the deadline date does not guarantee that your request will be scheduled for the next meeting. Requests lacking in detail will be returned causing a delay in the process.
- (4) The Board office will send written confirmation of the date and time the request is scheduled for review. Board meetings are held four times a year, approximately every three months starting with December and are always held at a pre-scheduled location in Helena, Montana.
- (5) A plan commences upon the day of approval. The applicant must work with the licensed outfitter from whom the business was obtained, by operating the business now owned by the applicant, according to the plan details submitted to the Board for not less than 12 months following plan approval by the Board. The Board office is not responsible for tracking completion dates.

Part II -- Approval process of an executed 12-Month Pre-approved Plan

- (1) The buyer and seller must submit a written request for Board approval of a 50-Day Experience Waiver pursuant to the completion of the previously approved 12-Month Plan. Attach a description of the areas of expertise or skills that were learned and how and what knowledge was obtained.
- (2) Requests must be submitted at least three weeks prior to a regularly scheduled Board meeting. Requests received after the deadline date will be held for the following meeting. Submitting your request by the deadline date does not guarantee that your request will be scheduled for the next meeting. Requests lacking in detail will be returned causing a delay in the process.

- (3) The Board office will send written confirmation of the date and time the request is scheduled for review. Board meetings are held four times a year, approximately every three months starting with December and are always held at a pre-scheduled location in Helena, Montana.

Part III -- 50-Day Experience Waiver application process

- (1) Once a 50-Day Experience Waiver has been granted a completed outfitter license application must be submitted and approved prior to examination. The buyer's operation plan must synchronize with the entire operation of the existing licensed outfitter's approved plan. Proof of the remaining 50-days of guiding experience in each license function must accompany the license application. Refer to the Application Procedures on Page 1 for a summary on applying for licensure.
- (2) The applicant purchasing the business must submit a signed sales agreement setting forth the name of seller and purchaser, a general description of the transaction (stock purchase, merger, etc.), a list of the equipment and livestock which is included as part of the sale, a legal description of all lands involved in the sale, including copies of signed land use approval forms (L-1 forms) and a statement indicating whether the seller will surrender or retain the outfitter license, or place the license on inactive status.
- (3) The purchaser must provide a current list of all clients booked by seller and a written description of how such reservations will be transferred including, but not limited to, transfer of outfitter sponsored licensees, refunds of deposits and notification of the sale of clients.

SALE AND PURCHASE OF AN OUTFITTING OPERATION: The Board will evaluate outfitter applications involving the sale of an existing outfitting operation by using information regarding experience and training relative to outfitter activities. Refer to the Application Procedures on Page 1 for a summary on applying for licensure.

MAKEUP OF OPEN BOOK WRITTEN EXAMINATION: The examination must require general and sufficient knowledge displaying and indicating ability to perform the services contemplated with efficiency and with safety to the health and welfare of participants. It is an open book examination. There are four sections to the examination: (25) multiple-choice questions in the Hunting Services section; (25) questions in the Fishing Services section; (50) questions in the General Outfitter section; and (25) questions in the Horse/Packing section. You must pass each section of the examination you are taking with a score of 75% or more.

- (1) **HUNTING SERVICES:** Applicants who will be providing hunting services must take the Hunting Section. Included are questions concerning Fish and Game hunting laws and

regulations and Board of Outfitters regulations.

- (2) **FISHING SERVICES:** Applicants providing fishing services must take the Fishing Section. Included are questions on Fish and Game fishing laws and regulations, Board of Outfitters regulations, stream access, boating and trespass laws.
- (3) **LIVESTOCK SERVICES:** Applicants providing or using livestock must take the Horse/Packing Section. Included are questions on horsemanship, horse care, and knowledge of tack.
- (4) **GENERAL OUTFITTER:** All new license applicants are required to take and pass the General Outfitter Section plus those sections pertaining to the services you wish to offer, (fishing, hunting, and livestock). Included are questions on Board of Outfitters regulations over outfitters and guides and Laws & Rules of the State of Montana relating to fish, wildlife and parks, outdoor recreation and certain other natural resources.

The following are recommended materials that you should obtain to help you prepare for the open book exam.

- a. **General Section:** A compilation of the Board of Outfitter Laws & Rules governing outfitters and guides are contained in this packet. A compilation of the Laws & Rules of the State of Montana relating to fish, wildlife and parks, outdoor recreation and certain other natural resources, can be obtained from a FWP licensing agent or the Department of Fish, Wildlife and Parks.
- b. **Fishing and Hunting Sections:** A compilation of the Laws & Rules of the State of Montana relating to fish, wildlife and parks, outdoor recreation and certain other natural resources, can be obtained from a FWP licensing agent or the Department of Fish, Wildlife and Parks. In addition, you can obtain pamphlets entitled "Montana Fishing and Hunting Regulations", "Montana Boating Laws", "Stream Access in Montana", "It's the Law: New Legislation Affecting Montana Landowners & Recreationists" and "How to Hunt Safely in Grizzly Country" and/or any other FWP bear identification pamphlets.
- c. **Livestock Section:** You can obtain the book titled "Packing in on Horses & Mules" by Smoke Elser & Bill Brown.

REAPPLICATION: If you fail the examination, you will be able to take the next scheduled examination after submitting a new application and new exam fees. Applicants will have 15 days from the date of notification to review the questions missed. This review will be conducted at the Board office in Helena, by appointment only. During this review, you will not be able to take any notes or record any information taken from the exam. No representative of the Board will be allowed to discuss the substance of the exam with you. Questions regarding the substance of exams must be directed to the Board at a pre-scheduled meeting.

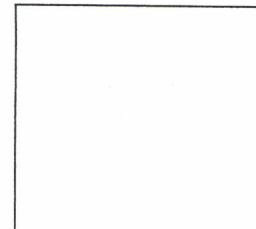
NET CLIENT HUNTER USE (NCHU): The Board of Outfitters has been directed by the Legislature to regulate outfitters NCHU as set forth in [37-47-201(5)(d), MCA]. Proposals must be made on a form provided by the Board and accompanied by the appropriate fee. The NCHU figures limit the number of clients that hunting outfitters may outfit on private, state and federal land where client use is not regulated. NCHU is not designated on federal land under special use permits. Once NCHU numbers have been set for the desired categories, an outfitter may not exceed the number without Board approval, nor may an outfitter exchange, trade or substitute between the categories of NCHU without approval of the Board. For example, you may not drop one bird hunter in exchange for an additional elk hunter in a given year without applying for and receiving approval from the Board.

LICENSE AMENDMENT/EXAMINATION APPLICATION: Montana outfitters seeking to amend their existing outfitter's license by adding a new service, such as, horses/packing, fishing, or hunting, must make application on a form prescribed and furnished by the Board. After meeting the experience and training specifications and other qualifications (fishing or hunting), license applicants must take and pass a written examination administered by the Board or its agent. Incomplete applications will be returned causing a delay in processing. The fee is \$450.00 for the License Amendment, Examination Application and filing of an operation plan amendment.

- (1) Complete the outfitter license/examination application and operation plan amendment by typing or printing all required parts. (A completed NCHU application must accompany hunting outfitter license application) Sign the forms and submit them to the Board office with the required fees. Applications submitted without the required experience may be subject to a re-application process with new fees.
- (2) Qualifications will be investigated and experience verified upon receipt of an application. The experience is verified through review of annually submitted client report logs.
- (3) Applications must be submitted (30) thirty days prior to the next scheduled examination date. If received after the deadline date, the application will be held for the following examination. Submitting your application by the deadline date does not guarantee that you will be scheduled for the next examination date. Applicants must receive preapproval of their proposed operations plan and license application before being scheduled for the written examination.
- (4) Once an application is considered complete, the Board office will send written confirmation of the date and time the applicant is scheduled for examination. The examinations are given on the second Tuesday every three months starting with January. Therefore, the exams are given in January, April, July and October. Examinations are held at a pre-scheduled location in Helena, Montana.
- (5) An equipment and premises inspection will be made by a representative of the Board at a reasonable time following approval of an application.

- (6) When all the conditions of licensure have been satisfied, including insurance and inspection, have been satisfied, the Board will issue an amended license stating the outfitter's new functions that the applicant is qualified and approved to perform.

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Outfitter License/Examination Application

ILLEGIABLE AND INCOMPLETE APPLICATIONS WILL BE RETURNED. APPLICATIONS MUST BE ACCOMPANIED BY REQUIRED PROCESSING FEES. PROCESSING TIME IS APPROXIMATELY 30-DAYS FROM THE DATE THAT THE BOARD HAS A COMPLETE ROUTINE APPLICATION.

Application for Licensure as:

FISHING OUTFITTER

OUTFITTER LICENSE/SUCCESSOR

HUNTING OUTFITTER

RE-APPLICATION, ACTIVATION, OR RE-EXAMINATION

FISHING & HUNTING OUTFITTER

ADD ADDITIONAL SERVICES TO EXISTING LICENSE

Complete routine applications will be processed within 30 days

1. FULL NAME: _____
Last First Middle
2. OTHER NAME(S) KNOWN BY _____
3. BUSINESS NAME _____
4. BUSINESS ADDRESS _____
Street or PO Box # City and State Zip
5. HOME ADDRESS _____
Street or PO Box # City and State Zip
6. PREFERRED MAILING ADDRESS ☐ Business ☐ Home
7. E-MAIL _____ DRIVER'S LICENSE # _____

DISCIPLINARY QUESTIONS:

PLEASE READ CAREFULLY & ANSWER QUESTIONS COMPLETELY AND TRUTHFULLY, IT MAY AFFECT YOUR LICENSURE.

1. Have you ever had an application for a professional or occupational license refused or denied? If yes, please attach a detailed explanation and provide supporting documentation from the source. ☐ Yes ☐ No
2. Have you ever withdrawn an application for licensure prior to the licensing agency's decision regarding your application? If yes, please attach a detailed explanation and provide supporting documentation from the source. ☐ Yes ☐ No
3. Has a licensing agency initiated or completed disciplinary action against any professional or occupational license you have held? If yes, please provide agency documents including the complaint, initiating documents, orders, final orders, stipulations and consent and/or settlement agreements directly from the source. ☐ Yes ☐ No
4. Have you ever voluntarily surrendered, cancelled, forfeited, failed to renew a professional or occupation license in anticipation of or during an investigation or disciplinary proceedings or action? If yes, please attach a detailed explanation and provide supporting documentation from the source. ☐ Yes ☐ No
5. Has a complaint ever been made against you with a professional or occupational licensing agency? If yes, please attach a detailed explanation and provide supporting documentation from the source. ☐ Yes ☐ No
6. Have any civil legal proceedings been filed against you by a (patient/client), (former patient/client) or employer/employee? If yes, attach a detailed explanation and documentation from the source including initiating document(s) and documentation of final disposition. ☐ Yes ☐ No
7. Do you have any criminal charges pending or have you ever pled guilty, forfeited bond, or been convicted of a crime (whether or not sentence was suspended or deferred), or have you pled no contest or had prosecution deferred whether or not an appeal is pending? If yes, attach a detailed explanation and documentation from the source. You must report but may omit documentation for: (1) misdemeanor traffic violations resulting in fines of less than \$100; and (2) charges or convictions prior to your 18th birthday unless you were tried as an adult. ☐ Yes ☐ No
8. Have you ever been diagnosed with chemical dependency or another addiction, or have you participated in a chemical dependency or other addiction treatment program? If yes, please attach a detailed explanation and provide documentation regarding evaluations, diagnosis, treatment recommendations and monitoring from the source. ☐ Yes ☐ No
9. Have you ever been diagnosed with a physical condition or mental health disorder involving potential health risk to the public? If yes, please provide a detailed explanation. ☐ Yes ☐ No
10. Have you ever been courts martial or discharged other than honorably from any branch of the armed service? If yes, attach a detailed explanation and documentation for the source. ☐ Yes ☐ No
11. Have you demonstrated a lack of respect for or a lack of compliance with the laws of any state of the United States or any rules promulgated thereunder as to matters of fish and game, conservation of natural resources, and preservation of the natural ecosystem? If yes, attach a detailed explanation. ☐ Yes ☐ No

SECTION D: List your experience as a licensed outfitter, guide or a licensed professional guide (most recent first).
Attach additional sheets if necessary.

Year _____
Experience as outfitter _____ guide _____
Employer _____
Outfitter License Number _____
Employer's address _____

Employer's phone _____
Services provided for hunting _____ fishing _____
Dates providing services _____
Where services provided _____
Describe what you did for this outfitter _____

Year _____
Experience as outfitter _____ guide _____
Employer _____
Outfitter License Number _____
Employer's address _____

Employer's phone _____
Services provided for hunting _____ fishing _____
Dates providing services _____
Where services provided _____
Describe what you did for this outfitter _____

Year _____
Experience as outfitter _____ guide _____
Employer _____
Outfitter License Number _____
Employer's address _____

Employer's phone _____
Services provided for hunting _____ fishing _____
Dates providing services _____
Where services provided _____
Describe what you did for this outfitter _____

Year _____
Experience as outfitter _____ guide _____
Employer _____
Outfitter License Number _____
Employer's address _____

Employer's phone _____
Services provided for hunting _____ fishing _____
Dates providing services _____
Where services provided _____
Describe what you did for this outfitter _____

Year _____
Experience as outfitter _____ guide _____
Employer _____
Outfitter License Number _____
Employer's address _____

Employer's phone _____
Services provided for hunting _____ fishing _____
Dates providing services _____
Where services provided _____
Describe what you did for this outfitter _____

Year _____
Experience as outfitter _____ guide _____
Employer _____
Outfitter License Number _____
Employer's address _____

Employer's phone _____
Services provided for hunting _____ fishing _____
Dates providing services _____
Where services provided _____
Describe what you did for this outfitter _____

SECTION E: List any and all (other than Montana) states and/or Canadian provinces in which you have ever been licensed (certified).

State/Canadian Provinces	License/Cert. Number	Date Issued	License Status	Specialty

If you are applying for licensure in Montana based on experience in a state or province other than Montana then you must attach the following documents:

Copy of your license or certification in that state or province
 Copy of that state/provinces' statutes and
 verifiable proof of your clients served as an outfitter in that state
 or province

Written request for Board review and approval of your
 experience in that state/
 Certified letter from the licensing authority stating that
 your license is in good standing.

SECTION F: If seeking a waiver of experience, list any and all outfitter or guide schools in which you attended and successfully completed training.

Name of School	Address of School	Phone Number	Dates Attended	Type of School

Confirm that you have enclosed the required items.

COMPLETED LICENSE/EXAMINATION APPLICATION IS ENCLOSED
 COPY OF MY VALID/CURRENT FIRST AID CARD IS ENCLOSED
 COMPLETED OPERATION PLAN IS ENCLOSED
 COMPLETED NET CLIENT HUNTER USE APPLICATION IS ENCLOSED (Hunting Applicants Only)
 REQUIRED FEES ARE ENCLOSED
 ANY ADDITIONAL PAGES OR SUPPORTING DOCUMENTS ARE ENCLOSED
 ALL APPLICATIONS ARE SIGNED & DATED

AFFIDAVIT

I authorize the release of information concerning my education, training, record, character, license history and competence to practice, by anyone who might possess such information, to the Montana Board of _____

I hereby declare under penalty of perjury the information included in my application to be true and complete to the best of my knowledge. In signing this application, I am aware that a false statement or evasive answer to any question may lead to denial of my application or subsequent revocation of licensure on ethical grounds. I have read and will abide by the current licensure statutes and rules of the State of Montana governing the profession. I will abide by the current laws and rules that govern my practice.

Legal Signature of Applicant _____ Date _____

VERIFICATION OF LICENSURE

THIS IS NOT AN ENDORSEMENT CERTIFICATION

PLEASE COMPLETE THIS SECTION OF THE FORM AND MAIL TO EACH STATE BOARD IN WHICH YOU ARE NOW OR HAVE EVER BEEN LICENSED TO PRACTICE AS A _____. YOU MAY COPY THIS FORM AS MANY TIMES AS NEEDED. SOME BOARDS REQUIRE A FEE FOR THIS SERVICE.

STATE BOARD OF OUTFITTERS:

I am applying for a license to practice _____ in the State of Montana. The Board of _____ requires this form to be completed by each state wherein I hold or ever have held a professional/occupational license. This is your authority to release any information in your files, favorable or otherwise, **DIRECTLY** to the **BOARD OF _____**, P. O. BOX 200513, 301 SOUTH PARK AVENUE, HELENA, MT 59620-0513. Your early response is appreciated.

(Signature) (Please Name: _____ print)

Address: _____

My License Number is: _____

DO NOT DETACH -- THIS SECTION TO BE COMPLETED BY AN OFFICIAL OF THE STATE BOARD AND RETURNED DIRECTLY TO THE MONTANA STATE BOARD OF _____

State of: _____

Full Name of Licensee: _____

License No. _____ Issue Date: _____

License is current? _____ If NO, explain _____

Has license been suspended, revoked, placed on probation or otherwise disciplined? _____

If YES, explain and attach documentation _____

Has licensee ever been requested to appear before your Board? _____

If YES, explain _____

Derogatory information, if any _____

Comments, if any _____

BOARD SEAL

Signed: _____

Title: _____

State Board: _____ Date: _____

MONTANA BOARD OF OUTFITTERS
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Helena, Montana 59620-0513
Phone: 406-841-2373 Fax: 406-841-2309
E-MAIL: dlibsout@mt.gov WEBSITE: <http://www.outfitter.mt.gov/>

**APPLICATION FOR:
OUTFITTER OPERATION PLAN**

ILLEGIBLE AND INCOMPLETE APPLICATIONS WILL BE RETURNED. THIS APPLICATION MUST BE SUBMITTED WITH THE REQUIRED FEES. PROCESSING TIME IS APPROXIMATELY 30-DAYS FROM THE DATE THAT THE BOARD HAS A COMPLETE ROUTINE APPLICATION. CHECK THE APPLICABLE BOX BELOW:

- ☐ NEW OPERATION PLAN - \$500.00 ☐ ADD ADDITIONAL SERVICES TO EXISTING LICENSE - \$450.00
☐ UPDATE EXISTING PLAN /REACTIVATION - No fee required on this part

SECTION A: OUTFITTER AND BUSINESS RELATIONSHIP

1. Provide the name of the licensed outfitter or proposed outfitter (if new applicant) that will be performing the functions contained in this operation plan and the name of the business, if any, under which operations are conducted.

OUTFITTER _____
BUSINESS _____

2. Provide the following information:

RESIDENTIAL INFORMATION

HOME PHONE _____

FAX _____

E-MAIL ADDRESS _____

ADDRESS _____

CITY, STATE _____

ZIP CODE _____ COUNTY _____

BUSINESS INFORMATION

BUSINESS PHONE _____

FAX _____

E-MAIL ADDRESS _____

ADDRESS _____

CITY, STATE _____

ZIP CODE _____ COUNTY _____

BASE OF OPERATIONS INFORMATION (HUNTING APPLICANTS ONLY)

PHONE _____

FAX _____

PHYSICAL ADDRESS _____

MAILING ADDRESS _____

ZIP CODE _____

COUNTY _____

FWP REGION # _____

[Note: *Base of Operations* is "the primary physical location where an outfitter receives mail and telephone calls, conducts regular daily business, and bases livestock, equipment, and staff during the hunting season" Sec. 37-47-101(2), MCA]

3. Indicate your preferred mailing address: ☐ HOME ☐ BUSINESS

4. Indicate whether the outfitting business is: ☐ INDIVIDUALLY OWNED ☐ LLC* ☐ PARTNERSHIP* ☐ CORPORATION*

*List the name of the Partnership, LLC, or Corporation:

5. Indicate one or more of the following as applicable:

Outfitter is: ☐ Sole owner ☐ Partial owner ☐ No ownership interest ☐ Manager ☐ Employee or contractor

6. If other than the outfitter, provide the name, address and phone number of the sole proprietor, the principal managing general partner or the principal corporate officer or director.

NAME _____

ADDRESS _____

7. If the business is a partnership, LLC, or corporation, provide the names of the general partners or principal shareholders.

(a) _____

(b) _____

SECTION B: HUNTING OPERATIONS

Outfitter Name: _____ (if applicable)
Business Name: _____ (if new applicant write "pending")
License Number: _____

MARK HERE IF NOT APPLICABLE _____

1. Indicate all services provided in the hunting operation by placing a check in all the space(s) that apply.

TYPE OF HUNTING SERVICES	TYPE OF TRANSPORTATION	TYPE OF SERVICE
Big game _____	Floating watercraft _____	Day use _____
Spring bear _____	Vehicle _____	Overnight lodging _____
Upland birds/waterfowl _____	Saddle/pack animals _____	Overnight camping _____
Archery _____	Snowmobile _____	Drop camps _____
Hunting with hounds _____	Aircraft _____	Spike camps _____
	Motorized watercraft _____	Other (Explain) _____

2. Provide the following information for your hunting service.

- Identify each type of game hunted by species (e.g., elk, deer, bear, upland bird, waterfowl, etc.) and provide the requested information applying to each. Use more than one line per type, if necessary. (Note: The number of trips per year multiplied by the number of maximum guests served at one time must agree with the proposed client numbers requested on the Net Client Hunting Use application or service days on special use permit.)
- Attach a completed land use form (Form L-1) with landowner information or a copy of your current permit from the authorized permitting agency for the land and water where operations are conducted. If using motorized watercraft on navigable waters, you must attach a copy of your U.S. Coast Guard captains license.

(c) Attach completed Net Client Hunting Use application if operating on lands other than National Forest.

Type of Game	District Hunted (FWP)	Drainage or Specific Area Hunted	Permitting Agency or Landowner	Counties Hunted	Average length of Trips (Days)	Approximate Number of Trips Per Year	Maximum Number of Guests at One Time	Day Use, Overnight, or Both	Type of Lodging Provided

FACILITY LOCATIONS (ONLY IF YOU PAY FOR OR PROVIDE THE LODGING):

Type of Facility	Location, (Section, Township, Range)	FWP Region	Physical Address	# of Miles from Base of Operations	Name of Ranch or Motel

SECTION D: EQUIPMENT AND INSPECTION

Provide the requested information for facilities, livestock, tack and equipment for overall outfitter operation.

a. FACILITIES (ONLY IF YOU PAY FOR OR PROVIDE THE LODGING):

Lodges: Number of lodges: ____, # Owned ____ #Leased ____; rooms ____ and beds ____.

Are meals provided at the lodge? Yes ____ No ____.

List maximum number of guests that can be served at one time ____.

Cabins: Number of cabins ____, # Owned ____ #Leased ____.

Are they equipped with cooking facilities? Yes ____ No ____.

Maximum number of guests per cabin ____ List # of cook stoves ____ List # of heating stoves ____.

Tents: Number of tents: sleeping ____, # Owned ____ #Leased ____; cooking ____, # Owned ____ #Leased ____;

tack tents ____, # Owned ____ #Leased ____ Food serving equipment for ____ number of

guests and employees. List # of cook stoves ____ List # of heating stoves ____.

List all vehicles, boats, rafts, trailers, camping trailers, and other large equipment by the criteria listed below and indicate if owned or leased:

TYPE OF VEHICLE, (TRUCK,BOAT, TRAILER, ETC.)	MAKE	MODEL	YEAR	DESCRIPTION	OWNED OR LEASED	For Inspection Purposes Only. (S or U)

FIRST AID KITS:

TYPE	NUMBER/ QUANTITY	OWNED	LEASED
BASIC			
ADVANCED			
OTHER			

BOATING EQUIPMENT:

TYPE	NUMBER/ QUANTITY	OWNED	LEASED
OARS			
LIFE JACKETS			
PUMPS			
PADDLES			
MOTORS			

LIVESTOCK:

TYPE	NUMBER/ QUANTITY	OWNED	LEASED
HORSE			
MULE			
OTHER			

TACK:

TYPE	NUMBER/ QUANTITY	OWNED	LEASED
RIDING SADDLE			
PACK SADDLES			
PANNIERS			
MANTIES			
BLANKETS/ PADS			
BRIDLES			
HALTERS			
HARNESS			

LIST ANY ADDITIONAL EQUIPMENT:

SECTION E: EMPLOYEE AND GENERAL INFORMATION

What is the average number of fishing guides you will hire or contract with each year? _____

What is the average number of hunting guides you will hire or contract with each year? _____

What is the average number of other employees you will hire or contract with each year? _____

Do you rent transportation or equipment from your employees? Yes _____ No _____

Do you rent from any other sources? Yes _____ No _____

SECTION F: PROOF OF INSURANCE

If available at time of application provide the following information regarding required liability insurance. (Note: Proof of current insurance will be required before a license will be issued per [ARM 24.171.509] and may be provided after passing the outfitter exam.)

- (a) policy owner _____
- (b) policy number _____
- (c) insurance company name _____
- (d) effective dates _____
- (e) name of insurance agent _____
- (f) agent phone number _____

SECTION G:

ATTACH A COPY OF YOUR PROPOSED RATE SCHEDULE AND DEPOSIT REFUND POLICY [ARM 24.171.2301]

SECTION H: CERTIFICATION AND SIGNATURE

I hereby certify that the information provided is correct, the equipment listed is owned or leased by the outfitter or the business for which the outfitter's license is issued, is in good operating condition and is satisfactory for the services to be performed. I also certify that the authorized land use agency or land owner has issued permission approving use of the land or water for operations identified herein or that the agency or land owner has been contacted personally and an authorized response has been received approving the land or water use without written permission.

Signature of Outfitter & Date

*Signature of Sole Proprietor,
General Partner or Corporate Officer*

THIS SECTION FOR INSPECTION PURPOSES ONLY. WAS EQUIPMENT AND LIVESTOCK SUFFICIENT TO PERFORM THE SERVICES LISTED? YES NO. LIST ANY DEFICIENCIES AND COMMENTS: _____

LIST ANY ADDITIONAL EQUIPMENT THAT NEEDS TO BE ADDED TO THE OPERATIONS PLAN OR COMMENTS ABOUT THE INSPECTION: _____

ON THE BASIS OF THE GENERAL APPEARANCE OF THE EQUIPMENT YOU INSPECTED, WOULD YOU SUGGEST THE BOARD OF OUTFITTERS ISSUE THE APPLICANT AN OUTFITTER'S LICENSE? YES NO

INSPECTION CHECKLIST:

	INITIAL	DATE
GENERAL INFORMATION VERIFIED	_____	_____
INSURANCE VERIFIED	_____	_____
LODGING AND EQUIPMENT VERIFIED	_____	_____
AREA OF OPERATIONS VERIFIED	_____	_____
PERMITS OR LEASES VERIFIED	_____	_____
(attach) RATE SHEET AND DEPOSIT REFUND POLICY	_____	_____
INDEPENDENT CONTRACTOR USE EXPLAINED	_____	_____
SET-ASIDE LICENSE USE EXPLAINED	_____	_____
OPERATION PLAN AMENDMENTS EXPLAINED	_____	_____
CLIENT LOG COMPLETION EXPLAINED	_____	_____
NET CLIENT HUNTER USE EXPLAINED	_____	_____

INSPECTOR'S NAME: _____ INSPECTION DATE: _____

L-1 LAND USE APPROVAL FORM

BOARD OF OUTFITTERS
PO BOX 200513
301 S. PARK 4TH FLOOR
HELENA, MT 59620-0513
(406) 841-2373 FAX (406) 841- 2309

Please circle appropriate land type:

PUBLIC

PRIVATE

Name of Agency/Owner of specified land:

Address of Agency/Owner:

Contact Person:

Phone Number: _____ Additional Phone or Fax #: _____

I, _____, public land manager/legal owner of the property/ranch
described above _____, hereby give my permission/approval for
(Name of ranch/land area)

_____ to use property described on this form for hunting/fishing
(Name of Outfitter)
purposes as a licensed outfitter. In addition, it is agreed that the outfitter has liability insurance and is responsible
for the safeguarding of the guide and clients while utilizing this property. The duration of this authorization is from
_____ and will terminate on _____.

Print Outfitter Name

Outfitter Signature

Date

Print Authorizing Agency/Owner Name

Authorizing Signature

Date

You must provide on the back of this form, a full legal description of the lands, by identifying the Township, Range, and Section(s) of the area(s) used for your land based outfitting operations. If this land use involves a camp/lodging facility provide the physical location (Township/Range/Section) of the facility on the back of this form. (Note: Section 37-47-318, MCA, requires outfitters who operate hunting camps in more than one Department of Fish, Wildlife and Parks administrative region to pay an annual fee of \$5,000 for each camp that is located beyond a 100-mile radius of the outfitter's base of operations and that is in an administrative region other than the region containing the outfitter's base of operations).

REV. 09/2005

**FISHING OUTFITTER
L-1 LAND USE APPROVAL FORM**

**BOARD OF OUTFITTERS
301 S. Park, 4th Floor
PO Box 200513
HELENA MT 59620-0513
(406) 841-2373 FAX (406) 841-2309
Email: dlibsout.mt.gov
Website: www.oufitter.mt.gov**

Please circle appropriate land type: Public Private

Outfitter Name: _____ License # _____

Address: _____

has permission to access _____
Stream or river name

through property listed for the purpose of providing fishing outfitting services from

_____ to _____
Day/Month/Year Day/Month/Year

or from _____ until permission is withdrawn.*
Day/Month/Year

Ranch/Property Name _____

in the County of _____

Legal Owner/Authorized Agency Name _____

Signature _____ Title _____
Owner, Manager, Agent, etc.

*NOTE: Properties where access permission is withdrawn MUST be removed from the outfitter's operation plan immediately. Send a written request for removal of the permission to the Board of Outfitters at the above address to keep your operations plan up to date.