



# BOARD OF OUTFITTERS

Volume 1, Issue 5

December 2006

## FROM THE CHAIRMAN



**Kelly Flynn**  
Hunting & Fishing Outfitter

Kelly Flynn, a longtime rancher, outfitter, and guest ranch owner, lives on a mountain ranch northeast of Townsend with his wife and two children. Over the decades, he has served as President of the Montana Outfitter and Guides Association, as an original member of the Governor's Council on Private Lands and Public Wildlife, as a member of Montana's Tourism Advisory Council, and as a member of Farm Bureau, Montana Stockgrower's Association, and Montana Dude Rancher's Association. Recently he authored a book detailing the history of one of the great gold strikes in Montana - the wild mining town named Diamond City. In addition to serving in many capacities with his occupation, he treasures the time spent following his children in their myriad of pursuits in school, sports, church, and 4-H.

## FEATURED BOARD MEMBERS



**John Redman**  
Public Member

John Redman was born in Sheridan Wyoming July 8, 1937, raised in Big Horn County, Montana, and graduated Lodge Grass High School in 1955. John went to Montana State College (Bozeman) where he graduated in the winter of 1960 with a B.S. degree in General Ag. He married Doris Petersen 1957 and raised a family of five children. John has been a rancher in Richland County since 1960. Hunting & fishing are a very important part of Montana life and it is important to John to foster and promote good stewardship of this resource. Orderly harvest and respectful conduct is essential to this end.



**Carol Gibson**  
Public Member

I grew up on the Klamath River in Northern California. As a young girl, I learned to fly-fish the tributaries of the Klamath with my Dad. When I met the man who was going to be my husband, I learned to use a shotgun and became interested in hunting birds with dogs. My parents were hunters and later, when living in Alaska and in Montana, I began hunting deer and elk.

I enjoy outdoor activities and have a deep appreciation for how living things fit together. I try to always keep in mind that system when helping to make decisions with the Board of Outfitters.

I am a retired elementary school teacher and have been married fifty years. We have three daughters.

I am enjoying getting acquainted and working with the other members of the board. Keeping in mind Teddy Roosevelt's philosophy that the wildlife belongs to all people, I like to remember that I represent the public hunters' prospective.

## CONTINUING EDUCATION CLASS DATES

April 24, 2007  
July 31, 2007  
October 16, 2007  
January 22, 2008

Find out more about this class on page 3

## INSIDE THIS ISSUE

- 1 FROM THE CHAIRMAN**
- 1 FEATURED BOARD MEMBERS**
- 2 ONLINE APPLICATIONS**
- 2 FROM THE STAFF**
- 3 RULES CORNER**
- 3 CALENDAR OF EVENTS**
- 3 KNOW THE FACTS**
- 4 STAFF**

### WHAT DO YOU WANT TO KNOW?

Let us know what information you would like to see in future newsletters. E-mail the Board office at: [dlibsout@mt.gov](mailto:dlibsout@mt.gov)

## CURRENT BOARD MEMBERS

Kelly Flynn, Chairman, Townsend, MT  
Hunting and Fishing Outfitter

Russ Smith, Butte, MT  
Hunting and Fishing Outfitter

Carol Gibson, Billings, MT  
Public Member

John Redman, Sidney, MT  
Public Member

Craig Madsen, Great Falls, MT  
Fishing Outfitter

Tom Sather, Bozeman, MT  
Public member

Timothy Linehan, Troy, MT  
Hunting Outfitter

## FROM THE OFFICE STAFF

### DEBBIE TOMASKIE

#### Program Specialist

The Board has been actively involved in discussions concerning their purpose, what is expected of them, and envisioned goals and objectives for the ensuing year and years to come. A list of recommendations has been compiled and then assigned a priority number based on what the Board members agreed to be the greatest necessity, promptness for action and/or importance. The members have also agreed that each member had to do their part to reach each goal in a timely fashion. Please note that members of the public are invited and encouraged to participate in Board meetings as appropriate. If you have any ideas or suggestions to add please feel free to contact any of the board members or staff so we can insure the issue is placed on a scheduled meeting agenda. Following is a list of the goals currently under discussion, ordered by their priority.

#### Priority No. 1

- Take a proactive approach to continuing education
- Promote education within the industry and the public
- Publish newsletters

#### Priority No. 2

- Improve jurisdiction/authority over unlicensed practice
- Make good outfitters better
- Make bad outfitters gone
- Eliminate illegal service providers
- Review penalties – apply appropriately

#### Priority No. 3

- Involve public more – especially when setting up Strategic Planning/Goal meetings
- Improve public perception of the Board /industry

#### Priority No. 4

- Clarify the MBO purpose – effectiveness
- Establish optimum size of Board/industry

#### Priority No. 5

- Evaluate the possibility of licensing booking agents
- Broaden scope of licensure/hunting broker

#### Priority No. 6

- Justify the budget & Board's role in the budget process

#### Priority No. 7

- Streamline rulemaking process by creating a better method for licensees and the public to correspond with the Board regarding the rule making process.

#### Priority No. 8

- Clean up NCHU expansion process

#### Other

- Review outfitter set-asides as it affects the outfitter industry image. It was resolved that this issue is difficult to do as the Department of Fish, Wildlife and Parks controls it.
- Set measurable goals
- Streamline board books (It was resolved that this item could be crossed off the list because a new process is in the works. Board binders can now be copied onto disks and mailed to the members who can download the information onto a computer).

## CONNIE BECKMAN

### Application Specialist

Howdy! Here are some helpful hints to help you to help me speed up the processing of your guide license applications.

**FIRST AID REQUIREMENTS-** Before you mail in the guide application with the fee, make sure you include a copy of the front and back of the guide's current first aid certification. Remember the Board requires basic first aid not CPR. The Board does not accept First Aid which was obtained from the Internet. If you are not sure if a First Aid card is acceptable by the Board, just call the Board office and we will check it out for you.

**CURRENT MONTANA CONSERVATION/ALS #:** Before you submit your guide application, your guide must have a current conservation license. The conservation license number is now the same as the ALS #. This number is the guides' birth date and another number.

**ORIGINAL SIGNATURE-** The Board only accepts original signatures of the outfitter and guide. No photo copies please!

**VIOLATIONS/CONVICTIONS-** If the guide answers yes to any of the disciplinary questions on the application, make sure the guide gives you copies of the violation and final outcome of the disciplinary action. The guide must attach a written explanation.

#### **RENEWAL APPLICATION HELPFUL HINTS:**

Before sending in your renewal check everything carefully to prevent it from being returned. If the renewal is not complete it will be returned to you which might result in a late renewal fee of \$300.

#### **THINGS TO GATHER BEFORE SENDING IN YOUR RENEWAL:**

Current insurance certificate, current first aid certification, current Montana Conservation/ALS #. Check logs twice for clients name, address, current ALS #, dates, guide's name, guide's license number, fishing streams, rivers or lakes, and hunting information. Check the "checklist" twice to make sure you have included everything for a happy renewal experience in 2006/2007.

#### **GUIDE LICENSE NUMBER:**

If you do not know the guide's license number you can look it up on our website at: [www.outfitter.mt.gov](http://www.outfitter.mt.gov) and click on "License Lookup System."

#### **OUTFITTER LICENSE RENEWALS**

All outfitter licenses must be renewed on or before December 31.

## ONLINE APPLICATIONS FOR OUTFITTER SPONSORED LICENSES

Fish, Wildlife & Parks (FWP) is able to process Outfitter Sponsored License Applications via the Internet. FWP has used this process for the last two years under a pilot program with great success. Only currently licensed outfitters who have registered with FWP may use this option. Registered outfitters are able to have their clients use the "Online" license function to have applications for Outfitter Sponsored Licenses processed without sending a paper form to FWP. This is a simple process where a registered outfitter client would use the online license function to complete the applications using the outfitter's license number for verification. The registered outfitter would then logon to a FWP web site using a specific "password" to accept or deny the application. The process of the registered Outfitter accepting the application is an electronic version of the Outfitter Sponsored Certificate. By accepting the application the outfitter is confirming he/she has received this clients deposit, explained the refund policy, etc. Some of the benefits are: allows the client to use a credit card when applying online; no need for hand delivery of applications; no need for certified mail; allows for last minute clients; and provides better records for the Outfitter. Outfitters who are interested in registration need to contact Marsha Ogle @ 444-1666 or Hank Worsech @ 444-2663.

## RULESCORNER

### IMPORTANT NEW RULES EFFECTIVE 7/1/2006

Several new rules became effective on July 1st of 2006. A new rule book was mailed to all licensed outfitters in July, (orange front and back cover). If you did not receive one of these books, or need more copies, please call the Board office and we will mail them to you. Below is a list of some of the new rules and a summary of how those rules will effect you.

**24.171.401** added three new fees for outfitters.

➔ There will now be a fee of \$50 charged to each outfitter involved in a transfer of net client hunter use.

➔ There is now a fee of \$5 for replacement watercraft ID stickers, (boat stickers)

➔ There is now a \$50 fee for outfitters who wish to transfer their river use days and request an audit on the river use.

**24.171.509** requires outfitters to carry liability insurance with the licensed outfitter as a named insured. Since the Board licenses individuals and not businesses the insurance certificate must have the outfitter listed as a named insured.

**24.171.602** requires all guides to have basic first aid certification. The only exception to this is for guides licensed using an emergency guides license application, they are allowed thirty days to submit proof of basic first aid.

**24.171.604** made several changes to the emergency guide license application.

➔ Outfitters are now able to use up to five emergency guide license applications per license year. You will only get one at a time, but once you use it and send in the top portion, another blank application will be sent to you.

➔ An outfitter that licenses a guide using an emergency guide license application has thirty days to submit proof of basic first aid to the Board office. The Outfitter may not use the guide after thirty days if the guide has not obtained basic first aid.

➔ The outfitter has the choice of licensing the guide for a one time ten-day excursion, or as a regular guide license that will expire on December 31st of that year.

**24.171.2301 (3)(o)** requires all licensees to clearly designate the business name, personal name, address, telephone number, and license number of the outfitter in any advertisement for outfitter or guide services.

This is just a summary of some of the rule changes, please call the Board office or check our website for the most up-to-date statute and rule information.

### KNOWTHE FACTS

**FACT – NCHU, (Net Client Hunter Use):** Any hunting outfitter who provides services on Montana lands [where the use is not limited by a Special Use Permitting System] must have NCHU. This includes BLM, State, Plum Creek/Burlington Northern, CMR, Private, Tribal, etc.

**FACT - NEW CAMPS:** 37-47-318(1)(c) There is an annual fee of \$5,000.00 for new camps located more than 100 mile radius from the base of operations and located in another FWP administrative region. Contact the Board office for more information.

**FACT – INSURANCE:** ARM 24.171.2101 requires outfitters to submit a copy of their current insurance certificate with their outfitter license renewal. The licensee must be listed on the certificate as the named insured.

**FACT – NCHU** — Once NCHU has been set, an outfitter may not exceed that number without Board approval, nor may an outfitter exchange, trade or substitute between the categories of NCHU.

## CALENDAR OF EVENTS

### BOARD MEETINGS

#### OPEN SESSION

**DATES: MARCH 7, 2007**

**MAY 31, 2007**

**AUGUST 29, 2007**

**DECEMBER 12, 2007**

**PLACE: PARK AVENUE BUILDING, 301 SOUTH PARK AVE, HELENA**

### SCREENING & ADJUDICATION PANELS

**DATES: MARCH 6, 2007**

**MAY 30, 2007**

**AUGUST 28, 2007**

**DECEMBER 11, 2007**

**PLACE: PARK AVENUE BUILDING, 301 SOUTH PARK AVE, HELENA**

### OUTFITTER TEST

**DATES: APRIL 10, 2007**

**JULY 10, 2007**

**OCTOBER 9, 2007**

**TIME: 9:00 A.M.**

**PLACE: PARK AVENUE BUILDING, 301 SOUTH PARK AVE, HELENA**

### IMPORTANT DATES:

**DECEMBER 31, OUTFITTER LICENSE RENEWAL DEADLINE**

**ACTIVE OUTFITTER RENEWALS POSTMARKED AFTER DECEMBER 31**

**REQUIRE A \$300.00 LATE FEE**

**INACTIVE OUTFITTER RENEWALS POSTMARKED AFTER DECEMBER 31**

**REQUIRE A \$150.00 LATE FEE**

### CONTINUING EDUCATION CLASS

During the strategic planning meetings the Board of Outfitters established it's #1 priority as education for the industry. Part of the proactive approach was to establish an education class that could be attended by any individual who wishes to learn more about outfitter laws, rules, forms, and processes. The result was a continuing education class that focuses on the needs of the industry. The class is held in Helena and presented four times each year, (see the front page for dates). Some of the topics covered are: required forms and how to correctly fill them out, license applications, net client hunter use, statutes and rules, advertising, and open discussion. One goal of the class was to create a hands on environment where the attendees can interact with the instructors to get information on specific subjects. The class has been very successful and we have received a great deal of positive feedback. The Board encourages everyone from the experienced outfitters to the first time guide to attend the class.

## ADMINISTRATIVE STAFF

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**MONTANA BOARD OF OUTFITTERS**  
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**6540**

**RETURN SERVICE REQUESTED**

**FIRST CLASS**