

ALASKA LEGISLATURE SPECIAL COMMITTEE/SUBJECT FILE 8672

1692 SCOMM 67: GUIDING AND GAME TASK FORCE, 1989-1990

1260



Alaska State Legislature

P.O. Box V
State Capitol
Juneau, Alaska 99811

December 16, 1988

Mr. Walt Stieglitz, Regional Director
U.S. Fish and Wildlife Service
1011 E. Tudor Rd.
Anchorage, AK 99503

Dear Mr. Stieglitz:

It appears that some adjustments of the regulations pertaining to the commercial utilization of big game resources in Alaska are necessary as a result of the State of Alaska's Supreme Court decision in the case of Kenneth D. Owsichuk vs. State of Alaska. The Supreme Court has issued a stay delaying implementation of its decision until June 1, 1989.

A legislative task force consisting of thirteen members has discussed the issues of guiding and commercial aspects of big game taking and transporting and is in the process of drafting and submitting recommendations to the Alaska Legislature early next month. It is our opinion that State laws and regulations will be changed during the calendar year 1989 to comply with the Court's decision.

Uncertainties are always detrimental to commerce and the industry involved in the utilization of game resources (primarily the guides and transporters) is no exception.

The State Department of Natural Resources and the State Legislature will address the problem with concessions and land surface use rights in the coming year. In order to minimize further upheaval the task force agreed unanimously to request that the Federal Agencies involved in concessions and leases on Federal lands maintain a "status quo".

Your consideration is much appreciated.

Sincerely,

A handwritten signature in cursive script, reading "Heinrich Springer".

Representative Heinrich Springer
Chairman, Legislative Task Force
on Guiding and Game



Alaska State Legislature

P.O. Box 1
State Capitol
Juneau, Alaska 99811

December 16, 1988

Terry O'Sullivan, Program Leader
Bureau of Land Management
Branch of Renewable Resources
222 W. 7th #13
Anchorage, AK 99513-7599

Dear Mr. O'Sullivan:

It appears that some adjustments of the regulations pertaining to the commercial utilization of big game resources in Alaska are necessary as a result of the State of Alaska's Supreme Court decision in the case of Kenneth D. Owsichuk vs. State of Alaska. The Supreme Court has issued a stay delaying implementation of its decision until June 1, 1989.

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Representative Heinrich Springer
Chairman, Legislative Task Force
on Guiding and Game

cc: David Rukke, BLM



Alaska State Legislature

P.O. Box 4
State Capitol
Juneau, Alaska 99811

December 16, 1988

Mr. Boyd Ellison
National Park Service
2525 Gambell Street
Anchorage, AK 99503

Dear Mr. Ellison:

It appears that some adjustments of the regulations pertaining to the commercial utilization of big game resources in Alaska are necessary as a result of the State of Alaska's Supreme Court decision in the case of Kenneth D. Owsichuk vs. State of Alaska. The Supreme Court has issued a stay delaying implementation of its decision until June 1, 1989.

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A handwritten signature in cursive script, reading "Heinrich Springer".

Representative Heinrich Springer
Chairman, Legislative Task Force
on Guiding and Game



Alaska State Legislature

P.O. Box 1
State Capitol
Juneau, Alaska 99811

December 16, 1988

Mr. Arnold Albrecht
U.S. Forest Service
Federal Building
Box 21628
Juneau, AK 99802-1628

Dear Mr. Albrecht:

It appears that some adjustments of the regulations pertaining to the commercial utilization of big game resources in Alaska are necessary as a result of the State of Alaska's Supreme Court decision in the case of Kenneth D. Owsichuk vs. State of Alaska. The Supreme Court has issued a stay delaying implementation of its decision until June 1, 1989.

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Sincerely,

A handwritten signature in cursive script that reads "Heinrich Springer".

Representative Heinrich Springer
Chairman, Legislative Task Force
on Guiding and Game



GUY TURNER
P O Box 92710
Anchorage, Alaska
99509
907-2575770

Dear Task Force Member,

I have been an outfitter in Alaska for five years, and an assistant guide for nine years. No one contacted me, from our beloved state government to say there may be a change, or the registered guides that don't want me to have any rights are looking to squeeze me out by getting a law passed that makes it O K for them to fly and hunt, but not an outfitter. I've always wanted to be a guide but that was also made impossible by Exclusive guide areas. I did find out on my own, and I have written to the Governor, and senator Pat Rodey.

I now see that you are on the task force. I want to go on record as contacting you also, and I am Enclosing Copies of hunters confirmations, release of liability forms, State Licenses, and a reference list from the past five years.

I don't rape the wildlife, I respect OUR wildlife, that's why I live here. I mainly outfit in units 9, 16, & 19. I sell hunting licenses for the State to my clients, and have had a business license for 5 years as a guide and outfitter. The last article I read in the Anchorage Times said some outfitters would become guides if they comply with certain conditions. I provide gear, shelter, and opportunity to hunt, and comply with those conditions & since no one is once again contacting me. I am contacting You, hopefully you can look out for my interests, and represent me!

P.S.

Being a first Class Outfitter I have invested most my time, and money building and owning Permanent facilities for clients at the following locations:

1985-1988 Pike Lake 5 miles east of King Salmon Unit 9
1984-1988 North Fork Big River Unit 19
1986-1988 Lost Lake Unit 14
1978-1988 UnNamed Lake Unit 16

Sincerely,


GUY TURNER

12/19/88



P. O. Box 91710
Anchorage, AK 99509

Gov. Steve Cowper
P. O. Box A
Juneau, Alaska 99811

April 29, 1988

RE: The Senate Guide Bill SB191

Dear Governor Cowper,

The only item of compromise that I can not go along with, and that will destroy my business is the amendment which would prohibit outfitters from flying clients into the bush unless the outfitter meets commercial air carrier standards set by the Federal Government.

This is discriminatory and will put me out of business. I have been bush flying for sixteen years safely. I have got clients booked for this year and they hopefully will become repeat customers and good word of mouth advertisement for my business in the future.

All guides, fishing lodges, and outfitters should be allowed to use aircraft without meeting commercial standards as long as flying is secondary to the work or service being offered.

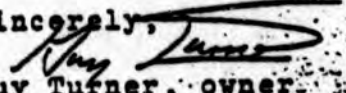
In Alaska you fly to hunting camps, cabins, lodges, etc.,. To restrict this activity is to put many Alaskan business out of work.

The guides want to forbid outfitters from staying in camps with hunters. OK? (The Safety Factor) It's a big state to get lost or hurt in.

This state needs the diversitication of the Tourist Industry to attract every budget of that tourist to help create a viable infrastructure. Not every hunter or fisherman can afford the most expensive guided hunt. Some don't want a guided hunt.

If you allow guides to use aircraft and not outfitters you are not looking out for my interest, and you are helping the discrimination of one group against another. The Tourist Industry and every business of this type will greatly suffer.

We both have a grandfather right to continue our businesses. If there are Outfitters that are guiding that's a separate issue. If there are guides that are outfitting, and shooting same day airborne that's a separate issue but don't discriminate against guides being able to fly clients into the bush, and outfitters not being allowed to fly clients into the bush. What's good for goose is good for the gander....

Sincerely,

Guy Turner, owner
Anglers Alaska Adventures

Patrick M. Rodey
Senator

Alaska State Legislature



Bill 2-1 June 1988
Anchorage, Alaska 99501
(907) 465-3793
During Session
P.O. Box V
Juneau, Alaska 99811
(907) 465-3793

July 25, 1988

Senate

Guy Turner
Post Office Box 92710
Anchorage, AK. 99509

Dear Guy:

As a follow-up note to my previous letter regarding the Interim Guide Task Force on Guiding and Game, I wanted to let you know that due to a change in circumstances, Senator Faiks has removed me from the Task Force and appointed herself to serve.

As a result of this change, I thought you would want to know those legislators serving on the Task Force: Representative Henry Springer, Representative Mike Navarre, Senator Jan Faiks and Senator Ken Fanning.

Public hearings are scheduled October 24 in Fairbanks, November 16 in Kenai, and December 12 in Anchorage. If you are interested in attending, I would suggest you contact the Legislative Information Office (562-3151) prior to the hearing date to confirm time and place of hearing.

While I am disappointed that I will not be serving with my fellow colleagues on the Task Force, I remain concerned about this issue, and encourage you to keep the members informed of your concerns and suggestions. Your participation can help ensure an equitable solution to what has become a very difficult balancing act between competing interests and Alaska's wildlife resources.

Kindest regards,


Patrick M. Rodey



ALASKA DEPARTMENT OF REVENUE
ALASKA BUSINESS LICENSE

Expires December 31 of the License Year (AS 43.70)

FEE \$25.00

This is to certify that the licensee named below has made application and paid the fee for an Alaska Business License covering the period January 1 through December 31 of the license year or fraction thereof.

LICENSE YEAR

1988

TURNER COY
ANGLERS ALASKA ADVENTURE
BOX 92710
ANCHORAGE AK 99501

This license shall not be taken as permission to do business in the state without having complied with the other requirements of the laws of the State of Alaska or of the United States.

COMMISSIONER OF REVENUE

This License must be posted in a conspicuous place at the location.
FORM 04-632 (REV 10 87) It is not transferable or assignable.

Board: _____
 License No.: _____
 Name: _____
 Address: _____

 Business Address: _____

 Phone No.: _____

Additional documentation and a fee may be required,
 in accordance with applicable statutes & regulations.

STATE OF ALASKA
 Department of Commerce & Economic Development
 Division of Occupational Licensing

THIS CERTIFIES THAT
TURNER **GUY J.**
 IS A LICENSED **ASSISTANT GUIDE**

License Number	Effective	Expiration		
AA 1295	12/ 4/84	12/31/88		
Social Security Number	Date of Birth			
536 48 9619	1/22/54			
Height	Weight	Sex	Eyes	Hair
72	155	M	BL	BD

Control No: **27725**

STATE OF ALASKA

DEPARTMENT OF COMMERCE & ECONOMIC DEVELOPMENT

Division of Occupational Licensing

P.O. Box D-LIC, Juneau, Alaska 99811-0800

GUIDE LICENSING AND CONTROL

This certifies that as provided by law, the person named is a licensed
 ASSISTANT GUIDE

License No. AA 1295 Effective Date 12/ 4/84 Expiration Date 12/31/88

TURNER GUY J.
 P.O. BOX 22710
 ANCHORAGE, AK 99501

Social Security No.
 536 48 9619

Original Issue Date 8/ 2/79 Issued By HW

Signature of Licensee

LOREN H. LOUNSBURY

Commissioner
 Department of Commerce & Economic Development

08-2407 (Rev. 9/84)

Control No. 27725

Lawyer off 'Hospital' set; gone fishin' in Alaska

Salmon fever recently brought to Alaska a man who has spent the last 20 years in the hospital. "General Hospital," that is. Handsome, silver-haired Peter Hansen, or as he is more commonly known to daytime drama fans — Lee Baldwin — recently came up to the Great Land to catch fish and do a couple of commercials for the two local First Care urgent care clinics. The spots should be on television in October.

This is not Hansen's first trip to Alaska, but last time he flew the plane himself. An avid fisherman and pilot, Hansen got to be a spectator this time while bush pilot Guy Turner flew for Hansen and a friend. His wife of 42 years couldn't make this trip.

"This time I got to look. We saw moose and we saw bear. It was just marvelous, just marvelous," says an enthusiastic Hansen, who is currently suffering from a bad cold. No doubt his comrades back on the ABC set will be able to remedy his ailment.

For those of you who live in caves and don't know about "General Hospital," it was the first daytime drama to go to 60 minutes, has won numerous daytime Emmys and spawned such television stars as Anthony Geary, Emma Samms and Genie Francis. The show commands one of the largest documented television audiences and has consistently been rated in the

TELEVISION



TERRY WILSON



Peter Hansen is a top three for the last six years. Hansen has played lawyer Baldwin, a recovered alcoholic and now one of the show's saintly principals, for over 20 years.

When he first started the show was 30 minutes and was live. Back in those days Hansen was a romantic lead who had to learn "30 to 40 pages of dialogue a day. You were always in the office or the bedroom hacking away at the lines," he says. "Today the tape is of such quality they can cut it and put it together like film, if they make a mistake. But we had to go all the way back to the beginning."

Hansen's most memorable scene on the show was also his most praised. He says his character has only fallen off the wagon once and that was when Baldwin's wife-to-be found him in a bar distressed by the fact that she would not commit herself to him. His portrayal of unrequited love and misery won him an Emmy that year, the first for any GH actor. Hansen is proud of that scene, but knows Baldwin is no longer a pivotal character on the show. But that doesn't mean his fame has dwindled. "You can't go anywhere, everyone knows you. Of course they don't know you but they know Lee Baldwin," says Hansen.

What keeps him in the fictitious town of Port Charles? "Money," says Hansen emphatically. That and the chance to do his craft, feed his family and every now and then just go fishin'.

Terry Wilson is The Times television writer.

May 9, 1988
Fairbanks, Alaska

*Received -
CK # 547 for \$1,120 -
into Alliance checking acct
A.A.A.*

Hi,

Here's the deposit for the Penniston party, \$1400, minus 10% of \$2800 commission, for a total of \$1120. The rest of their payment after they arrive will be all yours, \$1400. (Total \$2520 to you and \$280 to me). This should minimize paperwork and numbers juggling, if this is acceptable to you.

Party leader is :
Greg Penniston
Rural Route 2
Argyle, WI 53504 608-543-3237

His pal is:
Lonnie Rumley
9069 N. Maura Lane
Brown Deer, WI 53223 414-355-4233

Caribou & Moose bowhunters, flyout to cabin 9-18, back 9-28
I believe you said they'd have the cabin to themselves unless you happened to be there yourself. They seem like damn good guys. If you have any further info for them, I'm sure they'd like to have it. I sent them maps.

Thank you for your time and cooperation. I'm stubborn, and expect to do better next year! Hopefully I can send you some more business this year, and if not, have a good season.

My summer address follows.

Sincerely,

Buck

ALASKA ADVENTURE PLANNING
211 CLARKSON DR. #7
FAIRBANKS, ALASKA 99709
(907) 479-6363



ANGLERS ALASKA ADVENTURES

RELEASE OF LIABILITY

AND USER INDEMNITY AGREEMENT

I, Shirley Hunt HEREBY ACKNOWLEDGE that I have voluntarily applied to participate in the sport of Unguided Hunting with Anglers Alaska Adventures.
(Please initial to show that you agree SH.)

I UNDERSTAND THAT THE ACTIVITY OF Unguided Hunting and all other hazards and exposures connected with the activities conducted in the outdoors which do involve risk and that I am cognizant of the risks and dangers inherent with the activities that I and/or my family, including any minor children, are fully capable of participating in the activities contracted for and willingly assume the risk of injury as my responsibility, including loss of control, collisions with other participants, trees, rocks, and other man made or natural obstacles, whether they are obvious or not obvious.

I understand and agree that any bodily injury, death or loss of personal property and expenses thereof as a result of my negligence or the negligence of my family participating in any scheduled or unscheduled activities are my responsibility. I also state and acknowledge that activities associated with canoeing, rafting, camping, climbing, riding of animals, backpacking, Flying, hunting, fishing, river running, wilderness travel and living in the outdoors, immersion in water and hypothermia (rapid and medically serious loss of body temperature), falling while aboard a vessel, aboard an animal, or on the shore.

I understand that accidents or illness can occur in remote places without medical facilities, physician or surgeon and have exposure to temperature extremes or inclement weather and in consideration of and as a part payment for the right to participate in the activities associated with Unguided Hunting and any other activities including the services of food that may be arranged for me and/or my family by Anglers Alaska Adventures and its agents and associations, I do hereby agree that myself and my family (including minor children) are in good health with no physical defects that might be injurious to me and that myself and my family are able to handle the hazards of traffic, weather conditions, exposure to animals, walking, riding, and all and any similar conditions associated with the activities scheduled or associated with our outdoor adventure. (Please initial to show that you agree SH.)

I understand that any route or activity, chosen as a part of our outdoor adventure may not be the safest but has been chosen for its interest and challenge. Should animals ever be used or are present as part of our activities I and my family understand that an animal irrespective of its training and usual past behavior and characteristics, may act or react unpredictably at times based upon instinct or fright which likewise, is an inherent risk to be assumed by each participant in the activity. (Please initial to show that you agree SH.)

Over



ANGLERS ALASKA ADVENTURES

RELEASE OF LIABILITY
AND USER INDEMNITY AGREEMENT

I, JAMES RYBICKI HEREBY ACKNOWLEDGE that I have voluntarily applied to participate in the sport of Unguided Hunting with Anglers Alaska Adventures.
(Please initial to show that you agree [initials].)

I UNDERSTAND THAT THE ACTIVITY OF Unguided Hunting and all other hazards and exposures connected with the activities conducted in the outdoors which do involve risk and that I am cognizant of the risks and dangers inherent with the activities that I and/or my family, including any minor children, are fully capable of participating in the activities contracted for and willingly assume the risk of injury as my responsibility, including loss of control, collisions with other participants, trees, rocks, and other man made or natural obstacles, whether they are obvious or not obvious.

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Over



RELEASE OF LIABILITY
AND WAIVER OF INDEMNITY AGREEMENT

I, John Soltys HEREBY ACKNOWLEDGE that I have voluntarily applied to participate in the sport of Unguided Hunting with Anglers Alaska Adventures.
(Please initial to show that you agree [Signature])

I UNDERSTAND THAT THE ACTIVITY OF Unguided Hunting and all other hazards and exposures connected with the activities conducted in the outdoors which do involve risk and that I am cognizant of the risks and dangers inherent with the activities that I and/or my family, including any minor children, are fully capable of participating in the activities contracted for and willingly assume the risk of injury as my responsibility, including loss of control, collisions with other participants, trees, rocks, and other man made or natural obstacles, whether they are obvious or not obvious.

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Over



RELEASE OF LIABILITY
AND WAIVER OF AGREEMENT

I, DAN MURPHY HEREBY ACKNOWLEDGE that I have voluntarily applied to participate in the sport of Unaided Hunting with Anglers Alaska Adventures.
(Please initial to show that you agree D.M.)

I UNDERSTAND THAT THE ACTIVITY OF Unaided Hunting and all other hazards and exposures connected with the activities conducted in the outdoors which do involve risk and that I am cognizant of the risks and dangers inherent with the activities that I and/or my family, including any minor children, are fully capable of participating in the activities contracted for and willingly assume the risk of injury as my responsibility, including loss of control, collisions with other participants, trees, rocks, and other man made or natural obstacles, whether they are obvious or not obvious.

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I understand that any route or activity, chosen as a part of our outdoor adventure may not be the safest but has been chosen for its interest and challenge. Should animals ever be used or are present as part of our activities I and my family understand that an animal irrespective of its training and usual past behavior and characteristics, may act or react unpredictably at times based upon instinct or fright which likewise, is an inherent risk to be assumed by each participant in the activity. (Please initial to show that you agree D.M.).

Over



RELEASE OF LIABILITY
AND USER INDEMNITY AGREEMENT

I, Warron L. Murphy HEREBY ACKNOWLEDGE that I have voluntarily applied to participate in the sport of Unguided Hunting with Anglers Alaska Adventures.
(Please initial to show that you agree W.M.)

I UNDERSTAND THAT THE ACTIVITY OF Unguided Hunting and all other hazards and exposures connected with the activities conducted in the outdoors which do involve risk and that I am cognizant of the risks and dangers inherent with the activities that I and/or my family, including any minor children, are fully capable of participating in the activities contracted for and willingly assume the risk of injury as my responsibility, including loss of control, collisions with other participants, trees, rocks, and other man made or natural obstacles, whether they are obvious or not obvious.

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I understand that any route or activity, chosen as a part of our outdoor adventure may not be the safest but has been chosen for its interest and challenge. Should animals ever be used or are present as part of our activities I and my family understand that an animal irrespective of its training and usual past behavior and characteristics, may act or react unpredictably at times based upon instinct or fright which likewise, is an inherent risk to be assumed by each participant in the activity. (Please initial to show that you agree W.M.).

Over

REGISTRATION FORM

PARTICIPANT REGISTRATION FORM

Participants Name DANIEL R. MURPHY
Address P.O. BOX 2065
City ST. JOHNS State AZ.
Home Telephone 31-602-337-2341
Work Telephone 1-602-337-4131 EXT 2198
Date of Birth 8-25-50
Sex M

NAME OF NEAREST RELATIVE NOT LIVING WITH YOU

Name TERESA A MURPHY
Telephone No. 602-337-2341

Activity Chosen HUNTING
Do you have any medical conditions we should be aware of? Yes No X Explain

Signature Daniel R. Murphy
Date 8-30-86

Thompson

Hyper Marshall Rutter

Ray Powers
54604 Bolk Vista
Veradale, OR 97037
Blue + Williamsen
Tobacco Group
E. 10525 Main Ave
Spokane 99216

Philip Atley
4222 Franklin
Port Angeles, WA
98362

Lanny Carter
3110 ...
Laurie ...

Art Lorne Rumley
9069 N ...
Brown Deer, Wisconsin
414-355-4237 53223

Bob Beck
5775 Highland Dr.
Bellvue, OR 97006

Rural Route 2
Argyle, WI 53504
608-543-3237

L. Dennis Brown
5310 Edgewood
Byron Co 945

Wesley Skubert

Janus Ryblynski

Michael Van ...
N. 14910 Dakota
Spokane, WA 99208

Dan Murphy
1001 ...
Stephen ...
85736

Steve Elliott
9 Pearlness Ct.
Lafayette, OR
97035

DAVE Zerda
Chuck Renshler
Anch. AK
Butch Stone
Todd Halverson

4721
Tampa, Fla.

Genl W. H. Bertram

Coast Production

~~Post Office Box 1500~~

~~Van Nuys~~

Rm #12 So Cal W. Y. Ave.
La Crescenta, Ca 9121

2801 East 12th St.
Los Angeles Ca 90022

Niel Welsh

Louis Reid
8800 Minnetonka Blvd.
St. Louis Park Minn.
55426

Craig Jones
Greg Maxwell

Bill Gardner
+ Paul Norcross

Cheryl Savoni
+ 2 other Gyps

Electrocin
~~Huber~~

Paul Evans

Greg ~~Maxwell~~

Steve in So. Cal.

Bob Conklin + other of film

Jim Pater

FOR [unclear]
Task Force Files
12/14/88

December 12, 1988

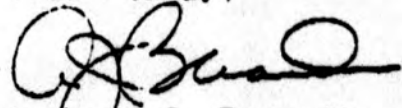
Alaska Sport and Recreation
2543 Homestead Drive
North Pole, Alaska 99705

Dear Don:

Enclosed please find a copy of this months Hunting Report. I can see a lot of turmoil going on in Alaska.

Please let me know if this is going to interfere with my scheduled hunt for September 1989. Also, please keep me informed as to the outcome of the Supreme Courts decision on this.

Yours truly,



Anthony J. Berardis

"SERVING THE HUNTER WHO TRAVELS"

whooper that should net out at close to 176 points. He also took several red-legged goats. Moynihan is pricing these hunts at \$8,000 (US) and has openings for 1989. He could be a good bet if you are in a hurry to get started on a B.C. slam.—Ken Nowicki.

Editor Note: For a complete list of deep offshore in B.C., write Guide Publications, c/o Department of B.C., Box 1000, Victoria House, B.C., V0K 2E0. Tel. 604-395-2400.

DATELINE: ALASKA

Editor Note: Last month we reported that the Alaska Supreme Court had thrown the state's guiding industry into chaos by ruling that Exclusive Guide Areas are unconstitutional. What was behind the move and what is likely to come next? Alaska correspondent Chris Batin led this follow-up report.)

Several weeks after the Alaska Supreme Court ruled that Exclusive Guide areas are unconstitutional, the hunting industry here is still in a state of shock. As reported last month, the ruling means that any registered guide in the state can hunt in any area he chooses, no matter how long another guide has had exclusive use of it and no matter how much he has spent on improvements. The ruling will obviously have a devastating impact on long-time guides, many of whom have sunk their life savings into guide area improvements. Far more important is the threat the ruling poses to wildlife. Currently, there is nothing in the law to prevent guides from all over the state descending on top areas next fall, with the impact on game populations. The threat of that is what has inspired so much speculation that nonresident hunting will be put on a draw basis by next fall. So, how did this ruling come about? The roots of the matter go back to 1973 when the state legislature created the Guide Licensing and Control Board (GLCB) to regulate the guiding industry. It was this board that created the Exclusive Guide Area concept and slowly granted EGA privileges to guides around the state from 1974 through 1976. The board did this without

specific statutory authority, relying on general grant of regulatory power. The rationale for the move was to protect game populations by preventing guides from concentrating on hotspots and moving on. The system worked well for those who got EGA privileges early on, of course, but not so well for people who wanted to break into the business. It was, in fact, a disgruntled guide who filed the suit that led to the recent court decision. Court documents indicate that the unhappy guide, Ken Owsichuk, was licensed to conduct hunts in Units 17, 18 and 19 in 1976, and he invested



\$300,000 to build a lodge, several cabins and other facilities for a full-scale guiding operation on Lake Clark. He also claimed to have spent \$150,000 on aircraft to fly in clients. Unfortunately, Owsichuk's licensing and investment occurred at about the same time the GLCB decided to implement the EGA program statewide. Owsichuk applied for EGA in Units 17 and 19 before the Nov. 1976 application deadline. But as things turned out, he did not get EGA privileges in all the areas he had been licensed to hunt in previously, but only in an area which he claims he could not land his planes in, and was "unhuntingable." Owsichuk filed a complaint against the board, claiming the EGA concept was unconstitutional, and he was entitled to recover damages. Owsichuk argued that the EGA concept violates the "common use" clause of the Alaska Constitution, which says... "Wherever occurring in their natural state, fish, wildlife and waters are reserved to the people for common use." Ultimately, the courts agreed with him. In their

written opinion, the justices made much of the fact that the EGA concept favored established guides at the expense of new entrants into the market. "To grant such a special privilege based primarily on seniority runs counter to the notion of 'common use,'" the justices wrote. Much was also made of the fact that EGA grants are not limited in duration. Moreover, statutes allowed holders of EGA's to sell their "improvements." The GLCB routinely transferred EGA's to purchasers of the "improvements," or to a guide's designated successor. This practice allowed a guide to effectively sell his EGA as if it were a property interest. The Court likened EGA's to old-time royal grants, which the "common use" clause expressly intended to prohibit. With that, they ruled Exclusive Guide Areas unconstitutional and it was the end of an era. At present time, no one could even guess what will follow. Should the state try some kind of concession system? Should it try to amend the constitution and put the EGA system back in place that way? Should it simply let the guiding industry find its own way and concentrate on creating draw quotas for the various areas? The upshot for the hunting client is paralysis. There is simply no way for a nonresident to book a hunt in Alaska with any confidence right now. The best bet is to take a wait-and-see attitude. The legislature will be in session in January, and you can bet sparks are going to fly. More details as we receive them.—Chris Batin

DATELINE: AFRICA

(Hunting Report President/Publisher Don Causey attended the Annual General Meeting of the Professional Hunters Association of South Africa last month where he gathered information for the following report.)

Due to space limitations in this issue, the report from Africa this month is brief. **South Africa:** Hunting in this country is getting better and more professionally run all the time. That was the inescapable impression I gathered at the Annual General Meeting of the Pro-

N.W.T.

Outfitters - General

10.(1) The outfitter licence shall be subdivided into Class A, Class B and Class C outfitter licences.

(2) Every applicant shall submit to the Superintendent, together with his application for an outfitter licence,

(a) an accurate inventory of the equipment to be used in the outfitting business for which his application is made;

(b) Repealed.

(c) Repealed.

(d) evidence of his experience as an outfitter and of his ability to properly finance and manage the business;

(e) proof of compliance with the Workers' Compensation Act; and

(f) such other information relevant to the determination of the application as the Superintendent may require, and if the applicant is a corporation, it must also provide a certification of good standing from the Deputy Registrar of Companies, that is dated within one month of its application for an outfitter licence.

(3) No person shall hold more than one Class A or Class B outfitter licence or have any interest, right or title, whether direct or indirect, in or to any Class A or Class B outfitter licence of which he is not the holder.

(4) No person, other than a Hunters' and Trappers' Association, shall hold more than one Class C outfitter licence or have any interest, right or title, whether direct or indirect, in or to any Class C outfitter licence of which he is not the holder.

(5) Every outfitter shall

(a) maintain his outfitting equipment in good and serviceable condition;

(b) dispose of all garbage, waste and debris from any place used in connection with his operation by removal, burning or burial;

(c) provide, on request by the Superintendent, such information relating to

(i) big game killed by hunters outfitted by him; and

(ii) specimens from big game so killed as the

Superintendent may require; and

(d) outfit only in the area specified in his licence.

(6) Every outfitter who has knowledge of an offence committed by a person outfitted by him against the Act or the regulations shall, within ten days after coming into knowledge of the offence, report the details of the offence to an officer. Amended by R-045-86 and R-058-86.

Class A Outfitters

- 11.(1) A Class A outfitter licence may be granted to
- (a) a natural person who, on the date of his application,
 - (i) is a Canadian citizen; and
 - (ii) has attained the age of nineteen years; or
 - (b) a corporation that, on the date of its application,
 - (i) is registered or incorporated under the Companies Act; or
 - (ii) is a Hunters' and Trappers' Association that is registered under the Societies Act.

(2) Unless the Superintendent allows an extension of time, an applicant for a Class A outfitter licence must submit his application to the Superintendent not later than January 1 in the calendar year in which the outfitting is to take place.

(3) Subject to the Wildlife Open Seasons Regulations and Hunting and Possession of Wildlife Regulations, the holder of a Class A outfitter licence may only outfit the holders of resident, non-resident and non-resident alien hunting licences in Zone E/1.

- (4) Subject to the Act and these regulations, where
- (a) a licensed outfitter is a natural person who, at the expiration of his outfitter licence, is living in the Territories and has lived there continuously for the two years immediately preceding that date; or
 - (b) a licensed outfitter is a corporation
 - (i) that is incorporated or registered under the Companies Act and, at the expiration of its outfitter's licence, has been so incorporated or registered continuously for the two years immediately preceding that date; or
 - (ii) shareholders of which, representing at least 51% of its share capital and voting power, are, at the expiration of its outfitter's licence,
 - (A) natural persons who are living in the Territories and have lived there continuously for the two years immediately preceding that date;
 - (B) corporations incorporated or registered under the Companies Act and have been so incorporated or registered continuously for the two years immediately preceding that date; or

- (C) a combination of (A) and (B),
the outfitter's licence shall be renewed for
such continuous period that the aggregate
period of his tenure of the licence under these
regulations amounts to not less than ten years.

(5) Subject to subsection (3) every Class A outfitter licence
expires December 31 next following the date of its issue.
Amended by R-045-86.

Class B Outfitters

- 12.(1) A Class B outfitter licence may be granted to
- (a) a natural person who, at the date of his application,
 - (i) is a Canadian citizen;
 - (ii) has attained the age of nineteen years; and
 - (iii) is living in the Territories and has lived there continuously for the two years immediately preceding that date; or
 - (b) a corporation that, at the date of its application,
 - (i) is registered or incorporated under the Companies Act; or
 - (ii) is a Hunters' and Trappers' Association that is registered under the Societies Act; and
 - (iii) the shareholders of which, representing at least 95% of its share capital and voting power, or members of which, representing at least 95% of its membership, are
 - (A) natural persons who are living in the Territories and have lived there continuously for the two years immediately preceding that date;
 - (B) corporations incorporated or registered under the Companies Act and have been so incorporated or registered continuously for the two years immediately preceding that date; or
 - (C) a combination of (A) and (B).
- (2) Unless the Superintendent allows an extension of time, an applicant for a Class B outfitter licence must submit his application to the Superintendent not later than January 1 in the calendar year in which the outfitting is to take place.
- (3) A corporation that applies for a Class B outfitter licence shall, upon request by the Superintendent, provide to the Superintendent
- (a) the names and complete addresses of each director;
 - (b) the names and complete addresses of each shareholder; and
 - (c) proof satisfactory to the Superintendent that the corporation meets the requirements of subparagraph 12(1)(b)(iii).

(4) Where a corporation holds a Class B outfitter licence and subsequently ceases to meet the requirements of subparagraph 12(1)(b)(iii), the licence of the corporation is thereupon suspended for thirty days and if the corporation does not meet the requirements subparagraph 12(1)(b)(iii), prior to the expiration of such period the licence shall be deemed to be cancelled at the expiration of such period.

- (5) No person shall be issued a Class B outfitter licence who is convicted of an offence under
- (a) the Fisheries Act (Canada) or the regulations made thereunder, as amended;
 - (b) the Migratory Birds Convention Act (Canada) or the regulations made thereunder, as amended;
 - (c) the Game Export Act (Canada) or the regulations made thereunder, as amended;
 - (d) legislation respecting renewable resources in force in any other province, territory or elsewhere; or
 - (e) the Wildlife Act or the regulations made thereunder, as amended.

within a period of two years prior to the date of his application for the outfitter licence except where the Superintendent is of the opinion that the nature of the offence or the circumstances under which it was committed should not prevent the person from being issued a Class B outfitter licence. Amended by R-045-86.

13. Subject to the Wildlife Open Seasons Regulations and Hunting and Possession of Wildlife Regulations, Class B outfitter licences may be issued at the discretion of the Superintendent

- (a) to any Hunters' and Trappers' Associations for the purpose of outfitting, within the area they serve, the holders of hunting licences to hunt
 - (i) barren-ground grizzly bear;
 - (i.1) black bear;
 - (ii) barren-ground caribou;
 - (iii) wolf; and
 - (iv) wolverine; and
- (b) to any other person for the purpose of outfitting the holders of hunting licences to hunt in Unit F
 - (i) barren-ground caribou;
 - (i.1) black bear;
 - (ii) wolf; and
 - (iii) wolverine.

Amended by R-045-86

14.(1) A maximum number of eight Class B outfitter licences may be issued pursuant to section 13, to Hunters' and Trappers' Associations that serve communities in Unit F for the purpose of outfitting the holders of non-resident and non-resident alien hunting licences.

(2) A minimum of ten barren-ground caribou commercial tags shall be allocated to each Hunters' and Trappers' Association that is issued a Class B outfitter licence for the purpose of outfitting the holders of non-resident and non-resident alien hunting licences.

(3) A maximum of two hundred barren-ground caribou commercial tags may be issued under this section to eligible hunters in respect of all holders of Class B outfitter licences.

(4) Notwithstanding subsection (1), where less than eight Class B outfitter licences are issued to Hunters' and Trappers' Associations that serve communities in Unit F and at least ten barren-ground caribou commercial tags have not been allocated to such a Hunters' and Trappers' Association, the remaining Class B outfitter licences may be issued to general hunting licence holders who have been issued a general hunting licence pursuant to paragraph 17(1)(a) or (b) of the Act. Amended by R-045-86.

15.(1) A maximum of five Class B outfitter licences may be issued to persons eligible therefor, other than Hunters' and Trappers' Associations, for the purposes of outfitting the holders of non-resident and non-resident alien hunting licences in Unit F.

(2) A minimum of thirty barren-ground caribou commercial tags shall be allocated to each person who is issued a Class B outfitter licence under subsection (1).

(3) A maximum of two hundred barren-ground caribou commercial tags may be issued under this section to eligible hunters in respect of all holders of Class B outfitter licences. Amended by R-045-86.

16. Unissued barren-ground caribou commercial tags that have been allocated to a holder of a Class B outfitter licence shall not be allocated to another holder of a Class B outfitter licence. Amended by R-045-86.

17. Class B outfitter licences expire June 30 next following the date of issue.

Class C Outfitters

18. A Hunters' and Trappers' Association that is registered under the Societies Act may be issued a Class C outfitter licence for the hunting of polar bear or muskox by hunting licence holders.

19. Class C outfitter licences expire June 30 next following the date of issue.

Guides - General

20.(1) The guide licence shall be subdivided into Class A, Class B and Class C guide licences.

(2) No person shall be issued a guide licence of any class unless he has attained the age of 18 years at the date of his application.

27 August, 1985

4-10

22.(1) No person shall be issued a Class B guide licence unless he

(a) is a Canadian citizen living in the Territories at the date of his application and has lived there continuously for two years immediately preceding that date;

(b) has five years of safe hunting experience with a minimum of two years experience in, and knowledge of, the area in which he wishes to guide;

(c) has not been convicted pursuant to (1) the Fisheries Act (Canada) or the regulations made thereunder, as amended;

Class B Guides

(4) Class A guide licences expire October 31 next following the date of issue.

(3) A holder of a Class A guide licence shall not act as a guide except in respect of the species and in the area specified in his or his employer's cutflitter licence.

(2) A holder of a Class A guide licence shall not guide more than two hunters at any one time.

(a) a Canadian citizen or landed immigrant, and

(b) employed by a Class A outfitter, or

(c) the holder of a Class A cutflitter licence.

21.(1) No person shall be issued a Class A guide licence unless he is

Class A Guides

(7) A guide shall remain with the hunter whom he is guiding at all times while the hunter is hunting big game.

(6) Every holder of a guide licence of any class shall, while guiding any hunter, wear, so as to be clearly visible, the guide badge supplied with his licence.

(5) Every guide, when acting as such, shall, within ten days after becoming aware of the commission of an offence against the Ordinance or the regulations, report the offence to an officer.

(4) A person who holds a guide licence of any class shall only be entitled to perform the acts, and shall be subject to the restrictions, that are applicable to that class of guide licence.

(3) Every applicant for a guide licence of any class must satisfy the Superintendent, by such means as the Superintendent considers appropriate, of his qualifications to hold a licence of the relevant class.

- (ii) the Migratory Birds Convention Act (Canada) or the regulations made thereunder, as amended;
- (iii) the Game Export Act (Canada) or the regulations made thereunder, as amended;
- (iv) legislation respecting renewable resources in force in any other province, territory or elsewhere; or
- (v) the Wildlife Act or the regulations made thereunder, as amended.

within a period of two years prior to the date of his application for a licence or for a licence renewal except where the Superintendent is of the opinion that the nature of the offence or the circumstances under which it was committed should not prevent the person from being issued a Class B guide licence;

- (d) has successfully qualified as a Class B guide by passing a test established by the Superintendent or has completed a Class B guide course that has been approved by the Superintendent; and Amended by R-042-85
- (e) is employed by a Class B outfitter.

(2) No Class B guide licences shall be issued for Zone E/1.

(3) A holder of a Class B guide licence shall not guide more than two hunters at any one time.

(4) A holder of a Class B guide licence shall not act as a guide except in respect of the species and in the area specified in that licence.

(5) Class B guide licences expire June 30 next following the date of issue.

Class C Guides

23.(1) No person shall be issued a Class C guide licence unless he is

- (a) a resident; and
- (b) the holder of a general hunting licence; and
- (c) employed by the holder of a Class C outfitter licence; or
- (d) the holder of a Class C outfitter licence. Amended by R-042-85.

(2) A holder of a Class C guide licence shall not guide more than one hunter at any one time.

(3) A holder of a Class C guide licence shall not act as a guide except in respect of polar bear or muskox and in the area specified in his or his employer's outfitter licence.

(4) Class C guide licences expire June 30 next following the date of issue.

OREGON ADMINISTRATIVE RULES
CHAPTER 250. DIVISION 16 - MARINE BOARD

DIVISION 16

OUTFITTER/GUIDE REGISTRATION

Definitions

250-16-001 (1) "Board" means the State Marine Board.

(2) "Employee" means an individual who, in exchange for compensation or other pecuniary gain, provides outfitting and guiding services exclusively under the direction, supervision and control of an outfitter and guide or an ocean guide.

(3) "Ocean guide" means any individual who carries passengers for hire for outdoor recreational activities only on the waters of the Pacific Ocean over which the State of Oregon has jurisdiction and who possesses therefor a valid United States Coast Guard vessel operator license.

(4) "Outdoor recreational activities" include, but are not limited to, boating, angling, hunting, jeep touring, backpacking, alpine mountain climbing, camping, trips utilizing pack animals, dog sled trips, helicopter skiing, whitewater float trips, rafting trips, drift boat trips, kayak trips, inflatable canoe trips and canoe trips. The duration of any outdoor recreational activities may be for a few hours or for several days or weeks.

(5)(a) "Outfitter and guide" means any person:

(A) Who provides, or who offers to provide, for compensation or other pecuniary gain:

(i) Outfitting and guiding services in Oregon; or

(ii) Outfitting and guiding services and either equipment, supplies, livestock or materials for use in Oregon; or

(B) Who holds one or more federal permits for commercial outfitting and guiding services for use in any forest or wilderness or on any river in Oregon.

(b) "Outfitter and guide" does not include:

(A) An ocean guide or an employee of an outfitter and guide or ocean guide; or

(B) An individual who, for compensation or other pecuniary gain, provides outfitting and guiding services for the conduct of outdoor recreational activities exclusively upon property owned or controlled by the individual.

(6) "Outfitting and guiding services" include, but are not limited to, leading, protecting, instructing, training, cooking, packing, guiding, transporting, supervising, interpreting or otherwise assisting any person in the conduct of outdoor recreational activities. The rental of equipment alone does not constitute outfitting and guiding services.

(7) Outfitting and guiding services are not offered or provided for compensation or pecuniary gain if:

(a) No individual receives any dues, fees, salary, commission, bonus, tip, compensation, equipment, materials, livestock, supplies, rental payment, amortization payment, depreciation payment or other financial gain; and

(b) No money or other remuneration is in any manner paid or collected except as a sharing by trip participants of the costs or expenses for the trip.

(8) Exclusions. The following activities and services do not constitute "outfitting and guiding services":

(a) Services supplied by non-profit organizations and governmental agencies which conduct outdoor recreational activities on a non-profit basis.

(b) Services supplied by schools which teach outdoor recreational activity classes such as ski schools, horse riding schools, swimming instruction, scuba instruction, sailing lessons, flying lessons, photography, nor such activities where being under the tutelage or instruction of a person is ancillary to the primary course of instruction or study. (This does not include fishing, hunting, backcountry whitewater schools).

Stat. Auth.: ORS Ch. 704

Hist.: MB 7-1986, f. 7-28-86, ef. 8-1-86

Registration Instructions

250-16-002 Registration requirements are contained in ORS 704.020.

(1) Application forms are available from the State Marine Board, 3000 Market Street NE, Suite 505, Salem, 97310, (503) 378-8587, 8 a.m. to 5 p.m., Monday through Friday.

(2) The completed and signed application, with required attachments, original first aid card, certificate of insurance and application fee must be submitted to the Board at the address in section (1) of this rule. The fee is non-refundable. Where an application is submitted for a partnership, one partner must sign the application and provide his/her proof of first aid. For a corporation, the application must be signed by an authorized corporate officer who has the required first aid training. The certificate of insurance shall be:

(a) Provided direct by mail to the Marine Board;

(b) Be issued in the applicant's name;

(c) Reflect all insured business names;

(d) Reflect the lawfully required insurance minimum amounts.

(3) Proof of first aid training shall consist of one of the following:

(a) The original card or certificate issued by the American Red Cross showing completion of a standard or multimedia first aid course or equivalent. (Original card will be returned to the applicant).

(b) Proof of training and certification as an Emergency Medical Technician I, II, or III (original card will be returned to applicant), or licensed or registered nurse or medical doctor (copy of license is acceptable). Should an outfitter's first aid card or the equivalent expire, the outfitter is responsible for submitting the original updated card to the Board. If there is a lapse of time between expiration and renewal, the outfitter's registration is automatically suspended during that period of time.

(4) An incomplete application shall, after twelve months from date of receipt and lacking any action on the application to complete the application, be deemed inactive. Should the applicant desire to register, the instructions contained in OAR 250-16-002(2) shall apply.

Stat. Auth.: ORS Ch. 705

Hist.: MB 7-1986, f. 7-28-86, ef. 8-1-86

Proof of Registration Compliance

250-16-003 (1) Outfitter/Guide certificate of registration:

(a) Upon meeting the registration requirements of ORS 704.020, the Board shall issue to the applicant proof

OREGON ADMINISTRATIVE RULES
CHAPTER 250. DIVISION 16 - MARINE BOARD

compliance in the form of a laminated card containing the applicants:

- (A) Name and address;
- (B) Registration number;
- (C) Business name (if any); and
- (D) Expiration date.

(b) When the registration is for a corporation, the provided Outfitter/Guide certificate of registration shall contain:

- (A) Registration number;
- (B) Corporation name and address;
- (C) Expiration date; and
- (D) The statement "Corporation Identification Only - Not for personal identification".

(2) Duplicates:

(a) A duly registered outfitter or guide may apply to the Board for a duplicate proof of compliance card when an original has been lost, stolen or mutilated.

(b) A duplication fee of \$5 shall be required for each replacement requested.

(3) The outfitter/guide identification card issued shall be carried at all times while providing outfitting or guiding services and shall be presented to any peace officer upon demand.

Stat. Auth.: ORS Ch. 704
Hist.: MB 7-1986, f. 7-28-86, ef. 8-1-86

Employe Agent or Party of Interest

250-16-004 (1) Each outfitter/guide shall maintain a current record at the State Marine Board of all employees, agents or parties of interest as denoted in ORS 704.020(1)(c).

(2) Notice of additions or deletions shall be immediately provided to the Board by telephone or written, dated communication. The notification shall include:

- (a) The outfitter/guide(s) name and address; and
- (b) The added or deleted individual(s) full name.

Stat. Auth.: ORS Ch. 704
Hist.: MB 7-1986, f. 7-28-86, ef. 8-1-86

Cancellation of Registration

250-16-005 (1) An outfitter/guide registration shall be cancelled upon notification from an insurance company that such outfitter or guide's required insurance has been suspended or cancelled.

(2) The Board shall give written notice to such outfitter or guide of the effective date of such insurance suspension or cancellation.

(3) The affected outfitter/guide shall, within ten (10) working days of receipt of such registration suspension or cancellation notice, return to the Board the previously issued outfitter/guide identification card.

Stat. Auth.: ORS Ch. 704
Hist.: MB 7-1986, f. 7-28-86, ef. 8-1-86

Reinstatement of Registration

250-16-006 (1) A previously cancelled outfitter/guide registration shall be reinstated immediately upon receipt of notification (certificate of insurance) from an insurance company of the outfitter or guide's procurement of the required insurance coverage.

(2) The Board shall return the previously surrendered outfitter/guide identification card, and it shall remain effective for the unexpired duration of its issuance.

Stat. Auth.: ORS Ch. 704
Hist.: MB 7-1986, f. 7-28-86, ef. 8-1-86

Registration Renewal

250-16-007 (1) The Board shall notify a registered outfitter or guide in writing approximately thirty (30) days in advance of the impending registration expiration.

(2) The notification shall include instructions for registration renewal and any appropriate forms for such renewal.

(3) An applicant must, in order to avoid an interrupted valid registration, return the completed application and all necessary documents and fees at least ten (10) working days prior to the current registration expiration date.

Stat. Auth.: ORS Ch. 704
Hist.: MB 7-1986, f. 7-28-86, ef. 8-1-86



Oregon

**State Marine Board
ADMINISTRATIVE OFFICE**

3000 MARKET ST. N.E., No. 505, SALEM, OREGON 97310-0650 PHONE 378-8587

TO: All Outfitter/Guides

FROM: Oregon State Marine Board

SUBJECT: Registration of Persons Engaged in Outfitting/Guiding Services in Oregon; ORS Chapter 704.

1. Complete and sign the application. Check all that apply on Attachment 2.
2. Affidavit must be signed. In signing the affidavit the outfitter/guide is stating that the employees have current, valid first aid and insurance coverage.
3. Current proof of completion of Standard or Multimedia first aid course or approved medical equivalent is required. We need your original first aid card. It will be copied and returned to you. You are responsible for keeping your first aid card current. When you renew it, send us your new card so we can update our records. It will be returned to you. CPR is not an approved equivalent and is not required.
4. Liability Insurance is required. See ORS 704.020. Applicant shall have insurance company furnish a Certificate of Insurance direct to the Marine Board. Applicant is responsible for making sure the Marine Board receives insurance renewal certificates from his/her insurance company.
5. \$50.00 annual registration application fee. This is not refundable.
6. Outfitter/Guide Registration is valid for 1 year from date of issue. Marine Board will send applicant renewal form prior to expiration.

Significant Points:

- A. The program does not include "Ocean Guides" (ORS 704.010(3)).
- B. Rental of equipment alone does not constitute outfitting/guiding services.
- C. Failure to register and the providing of false information when applying for registration are both Class B Misdemeanors. They are punishable by a fine not to exceed \$1,000 or imprisonment not to exceed 6 months or both.
- D. Registration as herein required does not take the place of other local, state or federal use permits. Registration is, in fact, a prerequisite to obtaining a federal use permit.

If you have further questions, please call Cindy Fosdick at 378-8587.

AFFIDAVIT

Attachment 1

In Support of Application for Oregon Outfitter and Guide Registration
(Type or Print all Entries Except your Signature)

STATE OF _____)

County of _____)

I, _____, do hereby declare that in the twenty four (24) months
(Name of Outfitter/Guide)
immediately prior to making application for this Oregon Outfitter and Guide Certificate of Registration:

Neither I, nor my employees have been convicted of, and/or forfeited bail to any violation of ORS 496.992(2); or any violation of the wildlife laws which occurred while acting as an outfitter and guide and which resulted in court ordered revocation of the hunting or fishing license of the outfitter and guide; and

Neither I, nor my employees have had an outfitting/guiding license, permit or certificate revoked by another state or by any agency of the government of the United States; and

Neither I, nor my employees have been denied the right to apply for an outfitting/guiding license, permit or certificate by another state.

The following is a list of the employees, agents and parties of interest who will physically provide, or directly assist in physically providing, outfitting and guiding services in Oregon under my Oregon Outfitter and Guide Certificate of Registration:

- | | |
|-----------------|----------|
| 1. (Self) _____ | 5. _____ |
| 2. _____ | 6. _____ |
| 3. _____ | 7. _____ |
| 4. _____ | 8. _____ |

I hereby certify that each and all of these individuals possess a current standard or multimedia first aid card issued to them by the American Red Cross, or a medical equivalent approved by the State Marine Board.

I further certify that each of my employees and I meet the insurance requirements contained in ORS Chapter 704.

Signature of Applicant

Date

CHECK ALL THAT APPLY

Equipment

1. ☐ Equipment Is Included
2. ☐ Equipment Is Not Included

Type Of Service

1. ☐ Whitewater
2. ☐ Fishing
3. ☐ Hunting
4. ☐ Back Country
5. ☐ Ski
6. ☐ Other or All of the Above

Area Served

See map on reverse. List as many zones as apply by number:
(i.e., 3, 5, 7).

Zones: _____

Experience

How many years experience do you have in the activity you plan to guide in?

Number of years: _____

OREGON STATE MARINE BOARD OUTFITTER/GUIDE REGIONAL MAP



MONTANA DEPARTMENT OF FISH, WILDLIFE AND PARKS
OUTFITTERS AND GUIDES

Part 1

87-4-101. Definitions. As used in this part, unless the context requires otherwise, the following definitions apply:

(1) "License year" means that period commencing January 1 and ending December 31 of the same year.

(2) "Nonresident" means a person other than a resident.

(3) "Outfitter" means any person, except a person providing services on real property that he owns for the primary pursuit of bona fide agricultural interest, who:

(a) engages in the business of outfitting for hunting or fishing parties, as the term is commonly understood;

(b) for consideration provides any saddle or pack animal or personal service for hunting or fishing parties or camping equipment, vehicles, or other conveyance, except boats, for any person to hunt, trap, capture, take, or kill any game and accompanies such a party or person on an expedition for any of these purposes;

(c) for consideration furnishes a boat or other floating craft and accompanies any person for the purpose of catching fish; or

(d) for consideration aids or assists any person in locating or pursuing any game animal.

(4) "Outfitters' council" means the Montana outfitters' council provided for in 2-15-3403.

(5) "Professional guide" means a person who is an employee of an outfitter and who furnishes only personal guiding services in assisting a person to hunt or take game animals or fish and who does not furnish any facilities, transportation, or equipment.

(6) "Resident" means a person who qualifies for a resident Montana hunting or fishing license under 87-2-102.

(7) "Participant" means a person using the services offered by a license outfitter or professional guide.

87-4-102. Determination of what constitutes consideration. The providing of the services, property, or equipment mentioned in 87-4-101(3) or the advertising of services to assist persons to hunt, pursue, or take wildlife or to fish shall be presumed to have been for consideration for the purposes of this part.

87-4-103. Responsibility for violations of law. (1) Any person accompanying a hunting or fishing party as an outfitter or agent or employee of such outfitter shall be equally responsible for any person or party employing him as an outfitter for any violation of fish and game laws; any such outfitter or employee of such outfitter who shall willfully fail to or refuse to report any violation of fish and game laws shall be liable to the penalties as herein provided. If any professional guide commits any violation of the laws or applicable regulations relating to fish and game, outfitting, or guiding with actual or implied knowledge of an outfitter then employing such guide, the outfitter is legally responsible for such violation for all purposes under the laws or regulations if the outfitter fails to report any such violation to proper authority.

(2) Whenever an outfitter is engaged by any person, the outfitter shall keep and submit records as required by the department.

(3) Outfitter and their employees may not shoot, kill, or take big game animals for or in competition with those employing them while acting under employment as an outfitter.

(4) Outfitters utilizing lands under the control of the United States government shall obtain the proper permits required by the government office responsible for the area in which the outfitter intends to operate and shall comply with environmental protection standards established for these lands.

(5) An outfitter may not willfully and substantially misrepresent his facilities, prices, equipment, services, or hunting or fishing opportunities.

(6) Outfitter and their employees shall take every reasonable measure to provide their advertised services to their clients.

87-4-122. Outfitter's qualifications. Each applicant for and holder of an outfitter's license or any renewal thereof shall, in the opinion of the director, meet the following qualifications:

(1) be a person of at least 18 years of age who is physically capable and mentally competent to perform his duties as an outfitter;

(2) own or hold under written lease or represent a company, corporation, or partnership who owns or holds under written lease the equipment and facilities as are necessary to provide the services advertised, contracted for, or agreed upon between the outfitter and his clients (all equipment and facilities shall be subject to inspection at all reasonable times and places by the department or its designated agent);

(3) be a person who has demonstrated a respect for and compliance with the laws of any state or of the United States and all rules promulgated thereunder as to matters of fish and game, conservation of natural resources, and preservation of the natural ecosystem without pollution thereof;

(4) have not been convicted or forfeited bond of \$100 or more on more than one violation of the fish and game laws or applicable regulations of any state or the United States within the past 5 years;

(5) have not, at any time, practiced fraud, deception, or material misrepresentation in procuring any previous outfitter's, professional guide's, or conservation license from the state of Montana;

(6) have not been finally adjudged by a court of law guilty of any substantial breach of written or oral contract with any person utilizing the applicant's services as an outfitter or professional guide during the license year immediately preceding that for which the application is made;

(8) have not committed any negligent act or misconduct while acting as an outfitter or professional guide that caused a danger or unreasonable risk of danger to person or property of any client of such outfitter or professional guide during the license year immediately preceding that for which the application is made;

(9) have not, at any time, pleaded guilty to or been adjudged by a court guilty of a felony, unless civil rights have been restored pursuant to law. No person may apply for or hold an outfitter's license during any period of time in which a sentence has been deferred or suspended for a felony.

(10) have substantially complied with all department regulations and state and federal laws concerning outfitters and professional guides, if the applicant has previously held a license as an outfitter or professional guide.

87-4-123. Professional guide's qualifications. (1) An applicant for a professional guide's license shall meet the following requirements:

- (a) be a person of at least 18 years of age who is physically capable and mentally competent to perform his duties as a professional guide;
 - (b) be endorsed and recommended by an outfitter with a valid license;
 - (c) have not been convicted or forfeited bond of \$100 or more on more than one violation of the fish and game laws or applicable regulations of the state of Montana or the United States within the past 5 years;
 - (d) have not committed any gross negligent act or misconduct while acting as a guide that caused an accident or injury to person or property of any client of an outfitter during the license year immediately preceding that for which the application is made;
 - (e) have not, at any time, pleaded guilty to or been adjudged by a court guilty of a felony, unless civil rights have been restored pursuant to law. No person may apply for or hold a professional guide's license during any period of time in which a sentence has been deferred or suspended for a felony.
- (2) A professional guide shall have been issued a valid wildlife conservation license

87-4-124. Application. (1) Each applicant for an outfitter's or professional guide's license shall make application for license upon a form to be prescribed and furnished by the department which shall include:

- (a) the applicant's full name, residence, address, conservation license number, birth date, physical description, and telephone number;
- (b) the address of his principal place of business in the state of Montana;
- (c) the amount and kind of property and equipment owned and used in the outfitting business of the applicant, if an outfitter's license application is involved;
- (d) the experience of the applicant, including years of experience as an outfitter or professional guide, knowledge of areas in which he has operated and intends to operate, and ability to cope with weather conditions and terrain;
- (e) a signed statement of the licensed outfitter by whom the professional guide is to be employed that the professional guide is in fact to be employed by such outfitter and stating that the outfitter recommends the applicant for his qualifications;
- (f) an affidavit by the outfitter to the director that the equipment listed on the application is in fact owned or leased by the applicant, is in good operating condition, and is sufficient and satisfactory for the services advertised or contemplated to be performed by such applicant;
- (g) a statement of the maximum number of guests to be taken at any one time;
- (h) the written approval of the appropriate agency or landowner on whose lands he will establish hunting camps.

(2) Applications for outfitter's license shall be in the name of an individual person only. Applications involving corporations or partnerships shall be made by one individual person who qualifies under the provisions of this part; any license issued pursuant thereto shall be in the name of that person; and the license shall specifically state that the same is issued for the use and benefit of the named corporation or partnership involved. Any revocation or suspension of such a license is binding upon the individual person and the partnership or corporation for the use and benefit of which the license was originally issued.

(3) Application shall be made to and filed with the director.

(4) Only one application for an outfitter's or professional guide's license may be made in any one license year. If any application is denied, subsequent applications by the same applicant for the license year involved are void, except as provided in 87-4-129.

87-4-125. Outfitter's examination. Each applicant for an outfitter's license shall pass a standard examination administered by the director or an agent designated by him, which examination shall 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 persons employing such services. The examination shall test the applicant's knowledge of subjects which shall apply to the type of license applied for in the following subjects:

- (1) federal and state fish and game laws and regulations;
- (2) practical woodsmanship;
- (3) general knowledge of big game;
- (4) field preparation of trophies;
- (5) care of game meat;
- (6) use of outfitter's gear as listed on the application;
- (7) knowledge of area and terrain;
- (8) knowledge of firearms;
- (9) federal and state regulations as applicable to outfitting;
- (10) first aid;
- (11) boat safety;
- (12) water safety;
- (13) care and safety of livestock.

87-4-126. Repealed.

87-4-127. Fees. (1) The department shall establish fees commensurate with the costs as provided in 37-1-134.

(2) Applications shall be accompanied by a license fee as specified by the department.

(3) If a nonresident resides in a state requiring residents of the state of Montana to pay in excess of the amount established by the department for a similar license, the fee for such nonresident outfitter's or professional guide's license shall be the same amount as the higher fee charged in the state where the nonresident resides. All fees collected under this part shall be deposited as provided in 87-1-601.

(4) The license fee shall be used to investigate the applicant, to enforce this part, and for administrative costs.

87-4-128. Investigation of applicant -- issuance or denial of license.

(1) The director in his discretion may cause to be made such additional investigation and inquiry relative to the applicant for outfitter's or professional guide's license and an applicant's qualifications as he considers advisable.

(2) The director may deny or refuse to issue any new license or to renew any previous license if, in his opinion, the applicant does not meet the qualifications herein stated. In the event that any application for license is denied or refused, the director shall immediately notify the applicant, setting forth in the notice the grounds upon which the denial or refusal is based.

(3) Final decision as to issuance of renewal licenses shall be made not later than 30 days from the date of receipt of the completed application for renewal and not later than 90 days from the date of receipt of a completed application for a new license.

(4) A licensee in good standing is entitled to a new license for the ensuing license year upon complying with the provisions of this part and completing an application for license renewal on a form provided by the department but is exempt from having to retake the written examination.

87-4-129. Kinds of licenses. (1) After receipt of the application and when all the conditions and requirements of this part have been satisfied, the director shall issue either of the following licenses, depending upon his determination of the applicant's ability and the service that the applicant can perform with the equipment listed on his application:

(a) a general license authorizing him to perform all the functions of an outfitter as that term is defined in 87-4-101; or

(b) a special license authorizing him to perform only the function of outfitting listed on the license.

(2) The license shall be in the form prescribed and shall be valid for the licensing year in which issued.

(3) If the application is denied, the director shall notify the applicant in writing of the reasons for the denial, and if the reasons are corrected, a license shall be issued upon reapplication thereof.

87-4-130. Professional guide's license. (1) For the purposes of this part, a person may serve as a professional guide under his employer's license, after submitting his application with the proper license fee, until the license is issued or denied

(2) To be valid, a professional guide's license must bear the signature and outfitter's license number of the endorsing outfitter and is valid only while the holder of such license is employed by the endorsing outfitter.

87-4-131. Transfer or amendment of outfitter's license. (1) No outfitter's license may be transferred during any license year.

(2) An individual person may, upon proper showing, have his outfitter's license amended to indicate that he is holding the license for the use and benefit of a named partnership or corporation.

(3) Subject to approval by the director, the immediate members of the family of a deceased licensed outfitter may continue to outfit for the deceased outfitter's unexpired license year or until the heirs or personal representative of the estate sells the outfitting business or obtains relicensure therefor.

87-4-132. Limit one license. No person may hold more than one outfitter's license either for his own benefit or for the use and benefit of a partnership or corporation, nor may the name of any partnership or corporation appear on more than one current outfitter's license.

87-4-133. Expiration of license. Notwithstanding any other provision or law, a license shall expire on the last day of the license year for which it was issued.

87-4-134 through 87-4-140 reserved.

87-4-141. Grounds for suspension or revocation of license. Every license or right to apply for and hold such license may be suspended or revoked upon any of the following grounds:

- (1) having ceased to meet all of the qualifications for holding a license;
- (2) fraud or deception in procuring a license;
- (3) fraudulent, untruthful, or misleading advertising;
- (4) having pleaded guilty to or been adjudged by a court guilty of a felony, including a case in which the sentence is suspended or imposition of the sentence is deferred, unless civil rights have been restored pursuant to law;

(5) two convictions or bond forfeitures of \$100 or more as to violations of the fish and game or outfitting laws or regulations of the state of Montana or of the United States within the past 5 years;

(6) a substantial breach of any contract with any person utilizing the services of the license holder provided that such breach is established as a matter of final judgment in a court of law;

(7) the willful employment of an unlicensed professional guide by an outfitter;

(8) negligence or misconduct while acting as an outfitter or professional guide that causes an accident or injury to person or property of any client of such outfitter or professional guide.

87-4-142. Procedure for suspension or revocation of license -- reissuance.

(1) Proceedings for the revocation or suspension of a license issued hereunder may be taken upon charge or recommendation of any person. All such charges or recommendations must be made in writing, must state the facts upon which such charge or recommendation is based, and must be signed and sworn to by the person making the charge or recommendation. Any such charge or recommendation shall be filed with the director. Thereupon, the director shall initiate a preliminary investigation of all facts in connection with the charge.

(2) A copy of all information shall be transmitted to the outfitters' council. The outfitters' council may make recommendation as to the action to be taken. Any such recommendation shall be made in writing and delivered to the director within 20 days after date of transmittal of such information to the council.

(3) If the accusation be deemed to be unfounded or trivial, the director shall dismiss the same and will advise the licensee charged and the complaining party of the action. Should the director determine the charge or recommendation to have good cause and to be sufficiently founded, he shall appoint a hearing officer who shall conduct a hearing on such charge in accordance with the Montana Administrative Procedure Act.

(4) The director thereupon shall cause a copy of the charge, recommendation of the council, and a record of the investigation to be served upon the licensee involved not less than 20 days prior to the day set for hearing thereon, which hearing shall be before an appointed hearing officer at a time and place set by such officer. At the hearing, the licensee involved may be represented by council. After full, fair, and impartial hearing, the director may suspend the accused's license or his right to hold a license for a period not to exceed 3 years, may order the license revoked, or may dismiss the charge or recommendation based upon the facts shown at the hearing.

(5) A revoked or suspended license may be reissued or reinstated at the discretion of the director.

87-4-143. Appeal procedure. Any person who feels aggrieved by the denial of issuance of a license or suspension or revocation of a license as an outfitter or professional guide may appeal to the district court of the county of his residence within 30 days after the date of such action by filing with the clerk of said court a notice of appeal briefly setting forth the action complained of and appealed from. Summons and copy of the notice of appeal shall be served on the director, and all proceedings shall conform to the code of civil procedure of the state of Montana. Upon such appeal, the action shall be by trial de novo, and upon demand in writing, either party shall be entitled to trial by jury. The court may sustain or reverse the action of the director or take such other action as the court may deem just and proper. If the director or the court

has ordered a stay of any revocation or suspension and the director's revocation or suspension is thereafter sustained by the court, the period of suspension or revocation shall begin with the first day after the court's action sustaining the decision of the director.

87-4-144. Enforcement. The warden designated by the department to primarily administer outfitting and guiding laws and rules, other wardens, and all peace officers shall enforce this part.

87-4-145 through 87-4-160 reserved.

87-4-161. Purpose. It is recognized that some activities conducted by outfitters and guides within the scope of their authorized services are inherently hazardous to participants regardless of all feasible safety measures that can be taken. It is the purpose of 87-4-161 through 87-4-163 to define those areas of responsibility and affirmative acts or omissions for which outfitters and guides are liable for loss, damage, or injury and those risks for which the participant expressly assumes or shall be considered to have voluntarily assumed the risk of loss or damage.

87-4-162. Duties of outfitters and guides. An outfitter or guide offering professional services in this state shall:

- (1) act as would a reasonably prudent member of his respective profession while engaging in providing the services authorized to be performed by a licensed member of his profession;
- (2) comply with all standards adopted by rule of the department of fish, wildlife, and parks.

87-4-163. Duties of participants. (1) A participant shall:

- (a) act as would a reasonable prudent person when engaging in the activities offered by a licensed outfitter or guide in this state;
 - (b) receive permission from the outfitter or guide prior to embarking on any self-initiated activity and inform the outfitter or guide of his plans and intentions upon receiving permission to engage in such self-initiated activity.
- (2) A participant may not:
- (a) interfere with the running or operation of an outfitter's or guide's activities when such activities conform to the standards of care set forth in 87-4-162;
 - (b) use the outfitter's or guide's equipment, facilities, or services unless the participant has requested and received permission from the outfitter or guide;
 - (c) knowingly, purposely, or negligently engage in any type of conduct that contributes to or causes injury to himself or any other person.

P.O. Box 506
Homer, AK 99603
December 11, 1988

To Whom It May Concern:

Guiding without a license should definitely be changed to a misdemeanor. It is presently, by Alaska statute, an unclassified felony.

A literal reading of the statute would bring hunters within risk of felony indictment for even passive involvement in an otherwise legal hunt. For example, it is beyond the financial means of many Alaskans to hire an air taxi to fly them hunting. If a friend merely pays for his hunting companion's share so he could go along, it is definitely a form of compensation. Since they spotted and pursued game together would make the companion guilty of a felony.

A class comprised of class A felons and unclassified felons is the group most likely to be dangerous to the community. Clearly, the offense of guiding without a license does not exhibit the same characteristics as a class A or unclassified felony. The classifications are based upon the type of injury characteristically caused or risked by commission of the offense and the culpability of the offender. AS 11.81.250.

In this case, a charge of guiding without license which involves no violence against a person, no risk of serious physical injury, no result in serious physical injury, and which are not malum in se but rather malum prohibitum should not have such a disproportionate penalty.

This unjust law must be changed.

Yours truly,

ARMIN GERBRANDT



ALASKA OUTDOOR COUNCIL, INC.

TO: GUIDE TASK FORCE
FROM: ALASKA OUTDOOR COUNCIL
DATE: DECEMBER 13, 1988
RE: SB 191 & THE OWSICHEK DECISION

We would first like to express our appreciation for this opportunity to present our views on this important subject. We feel the work before the Task Force is difficult and complex, but we hope the members will be able to put forth a finished plan of action which will solve the many problems now facing a significant portion of Alaska's tourism industry.

At our annual membership meeting in Sitka last spring, the assembled delegates of the Council voted to support SB 191 and the Legislature's attempt to bring consistent and fair regulations into effect for the big game hunting services industry. Based on the version of SB 191 which was current at the time of our annual meeting, it is safe to assume Council members felt the laws governing who would be able to participate in providing hunter services should become standardized.

Due to the recent Supreme Court decision affecting guide areas, the AOC basically leans toward bringing all operators under a fairly standard licensing system, although we haven't been able to formulate a solid position, as we are awaiting information from industry sources. We feel the appropriate action for us at this time would be to assess the positions proffered by the industry before a concrete plan of action can be made by us. We expected those position papers prior to this meeting of the Task Force, unfortunately, due to a variety of circumstances, we were unable to obtain them.

We do have grave concerns over the possible implications of the Owsichuk decision and would like to offer those points of concern. One point we would like to emphasize involves the possible application of permit drawing systems to regulate harvests now that restricted guide areas are no longer a factor. We would prefer some alternative if at all possible. Another concern at this time involves any position the Task Force may take to otherwise solve the current situation. We would hope any solution takes into account the need for fair restrictions when discussing entry into the profession, the need for guidelines which will provide a viable opportunity to make a living and last, but most important, the need to regulate the industry to provide sound wildlife management options.

We would like to thank you for your time and consideration on these matters of concern to the AOC.



"Fair Chase"

LYNN CASTLE — Master Guide

Alaskan Big Game Outfitting and Guide Service

Penny and Lynn Castle
Denali Wilderness Lodge
(at Wood River)
PO Box 517
Denali Park, Alaska 99755

Winter Reservations Address
PO Box 538
Benders, Texas 76003
Telephone (512) 796-4809

(copy to Nome address)

December 12, 1988

The Honorable Heinrich Springer
GUIDE/OUTFITTER TASK FORCE CHAIRMAN
P.O. Box 1600
Nome, Alaska 99762

Dear Representative Springer,

Thank you for the opportunity to testify earlier today at the tele-conference. As your committee is aware, the recent Alaska Supreme Court ruling that Exclusive Guide Areas are unconstitutional, and therefore illegal, has thrown the state's hunting industry into chaos. Your report to the legislature will have a tremendous impact on the future of non-resident big game hunting in Alaska, as it promises to become an outline for the various land management agencies within the state. In this respect, the timing of appointment of your Task Force could not have been more prophetic. Please allow me a few moments to comment on what impact recommendations of the Task Force could have on the situation.

The biggest problem facing Alaska's guiding industry today is the unlicensed guide problem — that is the so-called "outfitter." During the past five years more than 1700 unlicensed individuals have been hosting cut-rate, unlicensed, and unregulated Alaskan big game hunts as result of a loophole in the Guide Law which exempts all big game species except Dall sheep and brown and grizzly bear from the mandatory guide requirement. "Outfitters" have flourished primarily because they can offer Alaskan hunting opportunity at cut-rate prices, sometimes at "one-fourth the cost of a comparable hunt from the licensed guide operating in the same area." (quoted from typical "outfitter" brochure)

The key word here is "Comparable." The only thing comparable is the area hunted. The unlicensed "outfitter" had no legal responsibility to his client-hunters, no insurance

...and there is no time to ... in the area, no ... requirements ... responsibility ... the ... world ... a comparable name-brand ... that they tell you is that in order to ... their comparable auto has no brakes, ... no seats, no warranties ... Enter ... insurance, and quality control. ... suddenly finds himself competing in a reasonable manner, or not at all.

The Alaska Guide Law evolved over a period of several decades involving literally thousands of man-days of testimony, research, legal opinions, and deliberation by the state's Guide License and Control Board. It is considered the model guide system throughout the free world, for it provides an equitable system for training and licensing guides, as well as laws and regulations to protect not only the visitor-hunter, but also Alaska's precious wildlife resources. As result, indirectly it should also provide protection for the ethical operator who abides by its rules. It is a system worth preserving and protecting!

I am certain your Task Force recognizes potential for guiding and non-resident hunting opportunity in Alaska is not unlimited. If the courts have stripped us of the ability to limit guide pressure through exclusive guide area assignments, then it behooves us to do everything legally possible to set the HIGHEST POSSIBLE STANDARDS for those persons who are involved in guiding activity. In doing so, the would-be operator, who is unwilling to meet these high standards, will be eliminated through natural attrition. Such self-regulation process will go a long way in alleviating the potential problem of too much guide pressure.

The Task Force can be of immeasurable help in protecting the integrity of Alaska's Guide Law by recommending stricter controls, both in licensing requirements as well as performance in the field. Some suggestions:

1. Under no circumstances should illegal outfitters be drawn into a guide license. Anyone pursuing his own, third license should be required to follow the same standards and requirements as other currently registered guides. Certainly the better outfitters will have no problem finding licensed guides with whom to accomplish this. 2. ... should be very limited and ... persons who have held business licenses, ... supporting a real business, and ... that have been required.

...and necessary. The fact is scattered to widely dispersed
...as to be covered, a few thousand dollars a year. And
...objective due to the fact that under new state laws, proof of
...insurance should be a basic part of your statement of
...annual report, and other documents involved in those and
...other financial transactions. I feel that insurance is a
...of the world and most businessmen, and it is a necessary evil
...of the ethical operator, and those of us operating on a
...professional level carry liability policies. Nothing will
...act so much more effectively to separate the professional
...operators from the fly-by-nighters.

(3) Harder licensing guides as air-taxi operators. They
are not in the air-taxi business. Simply require that a
certificate of insurance be part of any guide's credentials
and lease aircraft in his operation. Believe me, the
insurance industry will weed out the bad operators a lot more
quickly and efficiently than any other manner. And again, any
outfit that is operating in a professional and responsible
manner should have insurance.

(4) The Code of Ethics which is currently part of the
guiding regulations should be strengthened, and grounds for
suspension or license for infractions of this Code spelled
out.

Certainly there are more suggestions which merit
consideration, but enactment of the four suggestions above
would go a long way in providing the solution. Thank you for
allowing me the chance to testify.

Respectfully submitted,

R. J. McCall

Lynn Castle, Alaska Master Guide

Submitted to:
Task Force on Guiding & Outfitting.

Cecil R. Jones
HCR 33675 Jones Dr.
Homer, Alaska 99603

Proposal;

Any nonresident hunting Sheep or Brown Bear must be accompanied by a licensed guide or an Alaska resident within the second degree of kindred. Any nonresident hunting Mt. Goat, Black Bear, Moose or Caribou Must be accompanied by a licensed guide or an Alaska resident. An Alaska resident may accompany up to two nonresident hunters per year.

Purpose;

To reduce hunting pressure State wide, to assure hunter safty and for protection of the resource. This regulation would not stop nonresidents from hunting in Alaska without a guide but it would assure that there would be someone in the field with them that is familar with the weather conditions and game regulations of the state. It would help cut down on wanton waste of meat and other game regulation violations. It would increase the value of the States game resource. It would improve the quality of the hunt for Alaska residents and assure more game for subsistence users.

This proposal would allow any resident to go hunting with his friends from out of state but would make it very difficult for any one to conduct an illegal guiding operation for any length of time. The nonresident hunter would be required to sign an affidavite stating who would be accompanying him or her on the hunt. It would be in line with the ANILCA mandate that resident subsistence users have priority use of the resource. It would not be setting a presidence as other states already have laws such as this in effect. It would provide resource management a better control on game harvest.

With the tremendous increase of outside hunting pressure within Alaska in the last few years I think it is vital that a regulation such as this be implimented now to assure a sound future for the resource in Alaska.

Submitted to:
Task Force on Guiding & Outfitting

Cecil R. Jones
HCR 33675 Jones Dr.
Homer, Alaska 99603

Dec. 16, 1988

Proposal:

To establish a permit lease system to control the impact of the guide industry on Alaska's wildlife resource.

There is a real need to come up with a system to manage the commercial hunting operations. I'm submitting this proposal not as a "sure-fire" thing but something that needs to be considered as a possibility. The old system we were using had a lot of short comings and I think any new system should address as many of these as possible.

If we leased permits to the guides it could be handled similar to DNR's grazing leases but would differ somewhat as I see it. What we are concerned with here is not so much the land as the game that is on it. Moose don't pay much attention to property boundaries but they are the States responsibility to manage, whether they are on State land, Fed. Land or private property. Since DNR deals with just State land I don't think they are the ones that should administer the leases for guiding. The Dept of Fish & Game should administer these leases. Rather than leasing an area of land the guides would lease the permits. The permit itself would be the thing of value that the State would be leasing through the DFG.

The DFG would divide the entire State up into areas on the maps similar to the old system, but not necessarily following the same lines. One of the problems of the old system was that some of the areas were too large for one operator and some were too small. It should be laid out into practical size areas. I think we should try to accommodate as many operations as possible and still be a little conservative about the game populations.

After the areas were laid out the DFG could make up permits with numbers corresponding to the areas. Those permits that closest fit an established operation could be leased to that operator as a negotiated lease between that operator and the State. (DNR often negotiates grazing leases similar to this.) After the negotiated leases were out of the way any remaining permits would be auctioned off at public auction.

These permits would not entitle the leasee to any rights beyond the privilege to conduct guiding activities within that given area. If the area overlapped federal or private property the leasee would still be subject to any federal or private restrictions or permits that may apply to his/her operations in that area. If you leased permit number 145 you would be restricted to guiding only within

the boundaries of area 145. You couldn't guide anywhere unless you had a permit.

After the initial phase of leasing the permits a policy for transferring these permits would have to be available. I think guides should be able to sell their business like any other business, or to pass it on to a friend or relative when they get ready to retire. I don't think it would be right to just auction their business off at public auction. Whether there are lines on a map or they have a permit or what ever , the fact remains that they have an established business there that they have put their whole life into and I think that has to be considered in the transfer of these operations. I think it should be that an operator can sell his operation to who ever he wishes and then after the sale the permit would be transferred to the new owner as long as that owner was licensed and legally qualified. If a guide had his permit revoked for nonuse, illegal activity or anything like that then his permit would go up for public auction. If Someone died and there was no one to inherit the operation then the permit would go up for public auction.

Each individual would be allowed to hold no more than two permits. The permit would have to be in the guides possession at all times when conducting hunts in the field.

If this system went in to effect it would be necessary to drop the present restriction whereas a guide can ~~only~~ be licensed to guide in ~~any~~ three game management units. If that restriction stayed in effect it would impose a hard ship on anyone buying an area at public auction. Since you would already be restricted to two permits the GMU restriction would ~~serve~~ no usefull purpose. We already have enough hardships as it is.

2-15-3403. Montana outfitters' council. (1) There is a Montana outfitters' council.

(2) The council consists of seven members. Each member shall be a licensed outfitter and shall represent one of the seven fish and game administrative districts. A member shall be selected by the licensed outfitters residing in that district by election at an annual meeting of the outfitters to be held in the city where the regional headquarters is located during the month of March. A majority vote cast by written ballot of all the outfitters in attendance at the meeting shall determine the member from the district. At the election an alternate member shall also be elected by written ballot to serve if the member is unable to act.

(3) If a member or alternate resigns or a vacancy exists for any reason on the council, the council at its next official meeting after the vacancy occurs shall recommend to the director of the department of fish, wildlife, and parks the names of two licensed outfitters residing in the administrative region where the vacancy occurred to fill the vacancy for the remainder of the unexpired term. If a vacancy cannot be filled from that administrative region, the appointment must be made from an adjoining region. If a vacancy cannot be filled from an adjoining region, the appointment must be made from any remaining region. The director shall fill the vacancy from the names submitted.

(4) The members shall serve staggered 3-year terms and take office on the day they are elected.

(5) The council is allocated to the department.

(6) The council is not subject to the provisions of 2-15-122.

(7) Members of the council are entitled to be reimbursed and compensated as are members of advisory councils in 2-15-122(5).

**RULES RELATING TO
OUTFITTERS AND PROFESSIONAL GUIDES**

12.6.501 OUTFITTER LICENSES (1) No person, company, or corporation shall engage in the business of outfitting without first having obtained from the department an outfitter's license of one of the kinds or types hereinafter described as follows:

⊕ (a) A general license authorizing one to engage in the business of outfitting for hunting and fishing parties, or to provide saddle and pack animals or personal services on back country or wilderness pack trips of more than one day duration for hunting or fishing parties; or to also provide camping equipment, vehicles, or other conveyance, for any person to hunt, capture, take or kill any game animal, upland game bird, migratory game bird, or to catch fish or attempt to take or catch fish and to accompany such a party or person on an expedition for any of these purposes.

(b) A special license authorizing the outfitter to perform only the function of outfitting listed on the license in accordance with the following classifications:

(i) Class I - special outfitter license for taking hunting parties out from a permanent base of operations for day trips only;

(ii) Class II - special outfitter license for taking fishing parties out from a permanent base of operations for trips by watercraft.

12.6.502 OUTFITTER STANDARDS - WRITTEN EXAMINATION AND ADMINISTRATIVE FEE

(1) No outfitter may be issued a license unless:

(a) The applicant has passed the written outfitter examination with a minimum score of 75% in the category of license requested;

(b) When deemed necessary by the department, a field examination to demonstrate the applicant's ability to use all equipment or stock listed on the application is required;

(c) The applicant has furnished proof of liability insurance for the outfitting services he provides. Minimum insurance will be \$10,000 for property damage, \$100,000 for personal injury to one person, and a total of \$300,000 for personal injury to more than one person. The verification of insurance certificate shall be submitted to the department by renewal application.

(2) Applicants taking the written outfitter examination must file a completed application with fee a minimum of 7 days prior to the examination. Applications with fee must be filed in the administrative regions where the written outfitter examination will be taken or in the Helena office, Enforcement Division when the examination is taken there.

(3) The written outfitter examination shall be given at each region (Kalispell, Missoula, Bozeman, Great Falls, Billings, Glasgow, Miles City) once a year in January. The examination will be offered once a month at the Helena office on the second Tuesday of each month, except no examinations will be conducted in Helena during the months of September, October and November. The written test shall be administered by the Supervisor of Outfitting or by enforcement personnel designated by the director. Applicants will be advised by mail of success or failure.

(4) An administrative fee of \$25 will be charged each person applying to take the written outfitter examination.

12.6.503 OUTFITTER EQUIPMENT AND SUPPLIES (1) An outfitter shall own or control the following equipment:

(a) A first-aid kit sufficient to provide basic first-aid to an injured person and to stabilize injuries; at base camps, a 24-unit kit (equivalent to MSA Type D - 24-unit kit); at spike camps, in vehicles and watercraft a 10-unit kit - (equivalent to MSA Type D - 10-unit kit).

(b) Transportation, shelter equipment, and food sufficient for the number of guests served and for the kind of outfitting operation conducted.

(c) All outfitters operating on public or private lands during the fire season shall be equipped with an axe and shovel in good condition, each of which shall be not less than 30 inches in length overall, and a bucket and/or a waterbag of not less than 2-gallon capacity. Campfires shall never be left unattended and shall be completely extinguished before leaving them.

(d) Every vessel used in an outfitting business shall comply with all the requirements of Title 23, Chapter 2, Part 5, MCA, and its implementing rules. All such vessels will have at least one extra paddle or oar and a Coast Guard approved Type I, Type II, or Type III personal flotation device for each person aboard.

(2) All new applicants, resident and nonresident, must have their outfitting equipment available for inspection by Montana Department of Fish, Wildlife, and Parks law enforcement personnel at time and place designated by the department prior to issuance of license. Inspection shall be mandatory.

12.6.504 SANITATION AND LIVESTOCK (1) At all camps, the outfitter shall construct necessary facilities for handling stock and maintaining a sanitary camp where such facilities are allowed by special use permits of the particular forest or agency. Pit toilets shall be treated chemically as needed when in use and covered with earth when a camp is not in use. These toilets shall not be within 100 feet from any surface water and they shall not be constructed in a manner that would contaminate ground waters. The toilets shall be constructed to environmental requirements of the appropriate agency.

(2) All livestock corrals must be at least 100 feet from any surface water or meet the local, state, or federal standards.

(3) When natural feed is not available, or when it is inadequate for the number of livestock in the camp, the outfitter shall have and supply supplemental feed adequate to maintain all livestock for the time spent at that campsite.

(4) No outfitter or his employee may subject any animal to abuse or to cruel and inhumane treatment.

(5) The outfitter shall not leave any litter and shall pack out all unburnable refuse from his campsite. When permitted by state or federal law or regulations garbage shall be burned daily.

12.6.505 RATE SCHEDULES (1) Upon request of a client, the outfitter shall furnish a schedule of rates charged for the services offered.

12.6.506 CAMP RESTRICTIONS (1) Camps shall not interfere with use of public roads, trails, and facilities.

12.6.507 PROTECTION OF PRIVATE PROPERTY (1) Outfitters shall exercise diligence in protecting from damage all private lands and property which the outfitter or client enter upon, while engaged in outfitter activity.

12.6.508 RECORDS (1) True, complete, and accurate outfitter records, as defined herein, will be filed with the department regional supervisor for the region in which the outfitter is licensed. Such records must be filed relating to the license year immediately preceding the expiration date of the outfitter's license. No outfitter's license may be renewed unless such records are those which contain.

- (a) complete name and address of outfitter;
- (b) outfitter's license number and year issued;
- (c) dates of service to each client;
- (d) complete name and address of each client as the same appears on the client's fishing or hunting license;
- (e) number, sex, and species of big game and game birds taken;
- (f) client's license number(s), by species;
- (g) whether or not the client fished;
- (h) identification of every hunting district hunted by each client and of every stream or lake fished by each client.

(2) Prior to the filing of records, as herein required, and at all reasonable times, each outfitter shall make available for inspection and inquiry by enforcement personnel of the department, all or any portion of his records or information required to be in such records as hereinabove provided. The said records shall at all times be maintained as confidential information and no part of same shall be released to persons or organizations outside the department unless such release is first approved by the director, or required by law.

12.6.509 EXPERIENCE STANDARDS (1) A general outfitter is required to meet the following experience standards:

- (a) a minimum of 5 years' hunting, fishing, packing and camping, handling livestock and equipment experience or previous experience as a professional guide with a general outfitter or previous experience as a licensed Special Class I and II outfitter; and the director, when deemed necessary, may require a practical field examination to determine the applicant's ability to use all equipment required to provide service.

(2) A special outfitter is required to meet the following experience standards:

- (a) a minimum of 5 years' hunting fishing, floating and boating or previous experience as a professional guide with a general outfitter or as a professional guide for a special outfitter in category of license requested.

12.6.510 RESIDENCY AND AGE REQUIREMENTS (IS HEREBY REPEALED.)

12.6.511 HUNTING AND FISHING LICENSES (1) Every outfitter and professional guide shall hold a wildlife conservation license valid for the license year in which he is outfitting or guiding and shall keep on his person such conservation license at all times that he is engaged in outfitting or guiding.

(2) Outfitters and their employees may not shoot, kill or take game animals for or in direct competition with those employing them.

12.6.512 LICENSING OF GUIDES AND ENDORSEMENT OF GUIDE LICENSE (1) The employing outfitter or applicant must submit the completed professional guide license application with fee to the department regional office administering the outfitter and guide license.

(3) The director will as soon as reasonably possible after the submittal of an application for a professional guide license either issue or deny the license and advise the applicant and endorsing outfitter.

(4) The employing outfitter shall endorse and date the guide's license upon receipt.

(5) A guide shall have a valid professional guide license in his physical possession while providing guiding service to clients. The guide must exhibit the professional guide license to a warden or other peace officer upon request.

12.6.513 LICENSE REVOCATION (1) Any outfitter or professional guide's license is subject to revocation for violation of any of these regulations or for violation of any section of Title 87, Chapter 4, Part I, MCA. Upon revocation or denial of any outfitter's license, said revocation shall include the privilege of holding a guide's license.

(2) The filing of a materially false application, report or record shall be a violation of these regulations.

12.6.514 LICENSE RENEWAL (1) If an outfitter allows his license to lapse for more than one license year, he shall then be treated as a new applicant.

12.6.515 OUTFITTER EXAMINATION (1) Outfitter license applicants who fail the written outfitter examination may take the examination a second time in conjunction with each license year application. An outfitter applicant who fails the written examination must wait six months before retaking the examination.

12.6.516 OUTFITTER AND PROFESSIONAL GUIDES LICENSE FEES (1) Annual license fees for outfitters and professional guides are as follows:

- (a) Resident Outfitter License: \$100;
- (b) Resident Professional Guide License: \$25;
- (c) Nonresident Outfitter License: \$250;
- (d) Nonresident Professional Guide License: \$100.

12.6.517 DEFINITION OF HUNTING SUCCESS FOR ADVERTISING (1) An outfitter who advertises his hunting success shall do so only in the following terms:

(a) Hunting success may only be expressed in terms of kill percentage as reflected by the outfitter reports required under ARM 12.6.508.

(b) Hunting success shall be expressed specifically in terms of species, sex and year.

(2) Advertisement of hunting success by any outfitter contrary to this rule shall constitute fraudulent, untruthful or misleading advertising within the meaning of Section 87-4-141(3), MCA, and false or misleading advertising within the meaning of Section 87-4-122(6).

12-15-86

1986
MONTANA LICENSED OUTFITTERS AND GUIDES

OUTFITTERS

<u>REG.</u>	<u>GEN.</u>	<u>SPL. I</u>	<u>SPL. II</u>	<u>SPL. I&II</u>	<u>TOTAL</u>
1	41	4	11	22	78
2	52	14	8	24	98
3	118	20	61	49	248
4	47	15	4	18	84
5	23	2	6	19	50
6	5	1	0	1	7
7	<u>8</u>	<u>28</u>	<u>1</u>	<u>2</u>	<u>39</u>
	294	84	91	135	604

GUIDES BY REGION

REG. 1	171
REG. 2	203
REG. 3	482
REG. 4	186
REG. 5	84
REG. 6	12
REG. 7	<u>64</u>
TOTAL	1202

TOTAL NUMBER OUTFITTERS AND GUIDES
PER YEAR

	<u>1972</u>	<u>1973</u>	<u>1974</u>	<u>1975</u>	<u>1976</u>	<u>1977</u>
Outfitters	470	456	449	413	404	389
Guides	662	739	612	550	531	588
	<u>1978</u>	<u>1979</u>	<u>1980</u>	<u>1981</u>	<u>1982</u>	<u>1983</u>
Outfitters	419	430	487	531	613	564
Guides	720	720	773	851	1018	1004
	<u>1984</u>	<u>1985</u>	<u>1986</u>			
Outfitters	563	588	604			
Guides	1086	1276	1202			

Outfitters & Guides

Montana's licensed outfitters and guides offer a special kind of vacation — customized adventures to appeal to your dreams. As outdoor recreation professionals, their knowledge, expertise and infectious love of Montana will add immeasurably to your vacation experience.

How about a wilderness horsepack trip featuring an elegant dinner at the end of each day? How about a guided whitewater raft trip through Yankee Jim Canyon, or the roaring Middle Fork of the Flathead River? How about the best fishing in the Lower 48, whether you test the waters of a high mountain lake, a spring creek, or a big river?

The accompanying map shows the administrative regions of the state, designated by Montana's Department of Fish, Wildlife & Parks. Licensed outfitter services are listed by region, alphabetically by town within each region. All telephone numbers are reached by the 406 area code.

License information is provided to help you match the services offered to your special interests. Department of Fish, Wildlife & Parks regulations state that a General license (G) authorizes an outfitter to "engage in the business of outfitting for hunting and fishing parties; or to provide saddle and pack animals or personal services on backcountry or wilderness pack trips of more than one day duration for hunting or fishing parties; or to also provide camping equipment, vehicles, or other conveyance, for any person to hunt, capture, take or kill any game animal, upland game bird, migratory game bird, or to catch fish or attempt to take or catch fish and to accompany such a party or person on an expedition for any of these purposes."

A Special Class I license (SD) authorizes an outfitter to "take hunting parties out from a permanent base of operations for day trips only." A Special Class II license (SII) authorizes an outfitter to "take fishing parties or river float fishing parties out from a permanent base of operations for day trips only by watercraft." A Special Class I and II or combination license (C) authorizes an outfitter to take hunting and fishing parties out for day trips only.

Keep in mind that outfitters are sometimes licensed and permitted to operate in areas other than their name and address location. An outfitter based in Region 1, for example, may also be permitted to operate in Region 2 or Region 3.

Under "Additional Information," note the designations "F," "M" and/or "P." These identify members of Montana's professional recreational organizations — "F" for Fishing & Floating Outfitters Association of Montana (Box 1320, Livingston, MT 59047); "M" for Montana Outfitters & Guides Association (P.O. Box 631, Hot Springs, MT 59845); "P" for Professional Wilderness Outfitters Association (K Lazy 3 Ranch, Lincoln, MT 59639).

Montana's other licensed outfitters are listed at the end of this section. For further information about nonresident hunting and fishing licenses, season dates, and outfitters and guides, write to them directly, or contact the Montana Department of Fish, Wildlife & Parks, 1420 East Sixth, Helena, MT 59620, (406) 444-2535.

Then, plan to start a new vacation tradition — a guided, outdoor adventure in naturally inviting Montana!



[illegible]

Bed & Breakfast

Bed & Breakfast accommodations provide some of Montana's most unique offerings to visitors. At the places listed below, you'll find accommodations ranging from down-home basic to down-right elegant. One quality they all share is a warm, friendly atmosphere, and an interest in guests that makes you feel like part of the family.

Enjoy a hearty country breakfast at most of these places, and plan to spend some time getting acquainted with your hosts and other guests. It's often an opportunity to learn a bit of "personalized" history about the area and its people.

Reservations services can provide you with a more extensive list of private accommodations in towns throughout Montana. Two of those services are Western Bed & Breakfast Hosts, P.O. Box 322, Kalispell, MT 59901, (406) 257-4476, and Bed & Breakfast/Rocky Mountain, P.O. Box 804, Colorado Springs, CO 80901, (303) 630-3433. Be sure to contact local Chambers of Commerce in Montana for information about new Bed & Breakfast homes, as well.

Rates listed are for two people, in the under-\$30 range (\$), \$30-\$40 range (\$\$), and more than \$40 (\$\$\$). All telephone numbers are reached by the 406 area code.

Name/Address/Telephone		Rooms	Private Bath	Breakfast	1987 Rates	Credit Cards
BIGFORK 59911	O'Donohue's Inn B&B Public House, 676 Forsdale Drive, 837-6851	3	•	•	\$5	VI MC
	Schwartz's Bed & Breakfast, 680 McCaffery Rd., 837-5483	2	•	•	\$	
BILLINGS 59101	PJ's Bed & Breakfast, 722 N. 29th St., 298-3300	7	•	•	\$	
BOZEMAN 59715	Lehtlund Mansion, 719 North Wallace, 596-1214	5	•	•	\$35	VI MC
	Silver Ferns Inn, 15326 Bridger Canyon Rd., 595-1882	5	•	•	\$85	
	Voss Inn Bed & Breakfast, 319 South Wilson, 587-0882	6	•	•	\$35	VI MC
EAST GLACIER 59434	Steen Creek Ranch, Box 144, 238-4482	4	•	•	\$	VI MC
EUREKA 59917	Grove Creek Bed & Breakfast, P.O. Box 581, 882-4958	4	•	•	\$3	
	Willow Pile Inn & Guest Ranch, RR1, Box 84, 885-3344 or 885-3343	5	•	•	\$9	
FORT BENTON 59442	Lost Lake Ranch, Rt. 1, Box 43, 737-4336, 737-4320	4	•	•	\$3	
GREAT FALLS 59401	Murphy's House Bed & Breakfast, 2020 Fifth Ave. North, 462-3888	2	•	•	\$5	
	Quinn's Country Inn, 2 mi south on 13th St., 462-7519	8	•	•	\$3	
	Ruby's Bed & Breakfast, 516 4th Ave. North, 463-8883	1	•	•	\$5	
HJON 59846	Whispering Pines, Box 36, 626-5864	2	•	•	\$5	
KALISPELL 59901	The Carver House, 346 4th Ave. East, 758-8334	3	•	•	\$5	VI
	The Meadows Bed & Breakfast, 546 Three Mile Drive, 752-2344	4	•	•	\$3	VI MC
LEWISTOWN 59457	Burnham's Bed & Breakfast, Rt. 3, Box 48, 538-3882	1	•	•	\$5	
MUSSELSHELL 59059	Mountaineer Ranch, Box 284, Neal Rd., 947-5051	4	•	•	\$35	
NEVE 59061	Stillwater Valley Ranch, Box 285-C, 328-6222	6	•	•	\$25	
POLSON 59860	Ruth's Bed & Breakfast, Rt. 1, Box 208, 983-2480	2	•	•	\$	
RED LODGE 59068	Mastwell's Mountain Home, 606 S. Broadway, 448-3082	3			\$5	VI MC
	Pfeifer Guest House, Box 1148, Two South Fort, 446-2858	4			\$35	
STEVENSVILLE 59670	The Country Caboose, 882 Wiloughby Rd., 777-3145	1	•	•	\$5	
WHITE SULPHUR SPRINGS 59845	Pawwood Inn, Box 404, 547-3818	16	•	•	\$5	VI MC

Region 2

Name/Address/Telephone	A	B	C	D	E	F	G	H	I	J	K	L	M	Additional Information
Hole in the Wall Lodge, Jeffry A. *oman 600 Hole in the Wall Rd., Alberton 00529, 729-8203	G	*	*	*	*	*	*	*	*	*	*	*	M	
Freder Wilderness Outfitters, Bob Lahart Box 1116, Anderson 00711, 825-7210	G	*	*	*	*	*	*	*	*	*	*	*	M; Private ranch home.	
Welling Outfitters, Beverly Welling 17500 Reck Creek Road, Clifton 00525, 825-4470	C	*	*	*	*	*	*	*	*	*	*	*		
Holland Lake Lodge, Loris LH Canden 00509, 764-2288	G	*	*	*	*	*	*	*	*	*	*	*	M; Restaurant & lounge, landscaped extensive cabin.	
Sun River Outfitters, Lloyd & Carolyn Hahn St. Rt. 2478, Canden 00526, 764-2228	G	*	*	*	*	*	*	*	*	*	*	*	M; Post-in drop camp.	
B Star 6 Outfitters, Charlotte Zhan & Ray Florida Star Rd., Canver 00527, 821-3880	G	*	*	*	*	*	*	*	*	*	*	*	M	
Ron Allaman's Western Adventure Trips, Ron C. Allaman West Fork, Darby 00529, 821-3763	G	*	*	*	*	*	*	*	*	*	*	*	M	
Shihom Ridge Outfitters, Pam Zhan & Bob Zhan, Sr. Darby Bridge Rd., Darby 00529, 821-4541	G	*	*	*	*	*	*	*	*	*	*	*	M; Guide training program.	
West Fork Outfitters, David Waller P.O. Box 644, Darby 00529, 348-2516	C	*	*	*	*	*	*	*	*	*	*	*	M	
WW Outfitters, Bill White Box 997, Darby 00529, 821-3007	C	*	*	*	*	*	*	*	*	*	*	*	M	
Rainbow Outfitters, Jim Becker 1575 Spur Road, Dillon 00725, 881-3162	G	*	*	*	*	*	*	*	*	*	*	*		
R Ranch O Ranch, Ron S. Griffin 19707 King Rd., Florence 00523, 273-6125	G	*	*	*	*	*	*	*	*	*	*	*	Wagon ride tour & dinner pulled by Percheron draft horses.	

11th Season at the West Entrance of Glacier National Park



5-Day Continental Divide Horseback & Raft Combination
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Region 1



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Condon, MT 59826



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Summer fishing and photography pack trips.
Fall big game hunts and spring bear hunts.
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FOR ADDITIONAL INFORMATION SEE THE SYSTEMS GUIDE:

Sudbury Wilderness Outfitters and Guides

P.O. Box 141-48 • CANTON, NY 13613
609-251-1777

Name/Address/Telephone

Cabin Creek Outfitters, Inc., Duane F. Dugre
Star Rt. Box 424, Greenough 59535, 793-6644

Seattle Mountain Outfitters Co., Ltd., Jerry Spear
P.O. Box 288, Hamilton 59040, 388-3388

Wellington Y Outfitters, Ernie and Pat Susan
SW 461 Lost Horse Road, Hamilton 59040, 383-5149

Montana Outfitters, James Anderson
889 Ovando-Hamilton Road, Hamilton 59043, 793-6676

Big Sky Outfitters, Jerry J. Hunt
Box 7042, Missoula 59807, 548-7213

The Montana Fisherman, Carl A. Mann
2100 Brooks Ave., Missoula 59801, 721-8838

Streamside Anglers, Warren W. Wiley
501 So. Orange St., Box 2188, Missoula 59801, 728-1086

Western Waters, Gerald R. Nichols Jr.
333 Knowles St., Missoula 59801, 728-6161

White Tail Ranch, Jack & Karen Hecker
663 Cooper Lake Rd., Ovando 59654, 793-6886

Seattle Arrow Outfitters, Jack & C.B. Rich
Box 486, Seeley Lake 59868, 677-2317 or 677-2411

Sinara Outfitters, Jack W. Sinara
84 Mullan Gulch Rd., St. Regis 59086, 648-2329

Del Cameron - Big Game Outfitter, Del Cameron
287 Higgins Lane, Stevensville 58770, 777-6234

Circle K&L Outfitters & Guides, Bob Lamberson
P.O. Box 25, Stevensville 58770, 777-6888

Lane Tree Outfitting & Guide Service, Larry Pendleton
1618 Iron Cap Rd., Stevensville 58770, 777-3806

Montana Wilderness Outfitters, David & Tena Kosub
4420 West Lane, Stevensville 58770, 777-3673

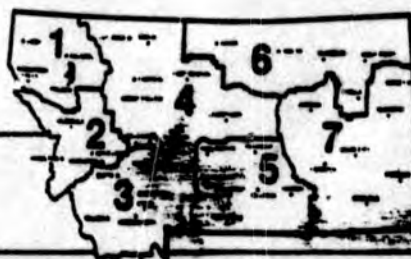
Anglers Afloat Inc., David J. Odell
2620 Smith Creek Lane, Victor 58875, 642-3103

Bob Creek High Country Outfitters, Bob Crick
1142 Pleasant View Dr., Victor 58875, 642-3233

The Frustrated Fisherman, Charles Miller
990 Highway 83, Victor 58875, 661-3258 or 661-3401

Lazy T4 Outfitters, Spence Trogdon
P.O. Box 116, Victor 58875, 642-3586

R.L. Saurbrink Outfitter, Richard L. Saurbrink
1980 Mendian Rd., Victor 58875, 642-3251



Region 3

Name/Address/Telephone

Backboard Guest Ranch, Linda Larson
P.O. Box 136, Alder 58710, 642-5384

Bill Owen Outfitting, Bill Owen
Box 1424, Belgrade 58714, 388-1272

Yellowstone Outfitters, Dave Warwood
15100 Rocky Mountain Rd., Belgrade 58714, 388-4463

Region 2

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and Mountain Goat.
SPRING - Black Bear Hunts and Trout Fishing.

Ranch/Address/Phone	Additional Information									
Sealy's Horse & Riding Guide Service, Madelyn C. Sealy Box 351, Ennis 59725, 882-4284										
T Lutz & Ranch, Bob Weller 592 Josh Creek Road, Ennis 59725										• Limited trail riding.
The Tealbe Ship, Ray and Laura Kellan P.O. Box 625, Ennis 59725, 882-4283										• Guided riding trail trips.
Plenty Camp Outfitters, John Stenmark HPC #85, Box 285, Pinedale 59453, 388-4410										
Broken Hart Ranch, Lee Hart 73800 Gallatin Rd., Gallatin Gateway 59730, 763-4379										
Azure Outfitters, Robin Cunningham Box 311, Gallatin Gateway 59730, 763-4761										
Covered Wagon Ranch, Vic Benson, WA King 34036A Gallatin Road, Gallatin Gateway 59730, 886-4237										• Horseback riding, hiking, canoeing, available nearby are golf courses and snowmobile/skiing.
Jake's Horse & Outfitters, Jake & Katie Grimm Box 191, Canyon Route, Gallatin Gateway 59730, 886-4630										• Mt. Summer trail rides & about 17 1/2 and out to.
River Quarter Circle Ranch, Kim or Kelly Kelsay Gallatin Gateway 59730, 886-4276										• Game packing included.
229 Ranch - Buffalo Horn Outfitters, Gail G. Walms 205 Buffalo Horn Creek, Gallatin Gateway 59730, 886-4283										• Guiding into off hunting season area 4316.
Leslie P. Craft, River Rt. Box 250, Gardiner 59030, 848-7679										
Red's A' Roads' Outfitters, Warren Johnson Box 288, Gardiner 59030, 848-7679										
North Yellowstone Outfitters, Bill & Peg Hoppe Box 75, Jordana Route, Gardiner 59030, 848-7651										• Mt. trips into Yellowstone National Park.
Randall's Outfitters, H.A. Moore P.O. Box 447, Gardiner 59030, 848-7667										
Hess Land & Cattle Outfitting & Guide Service, Steven T. Hess Box 112, Lame 59738, 276-3461										
Bear Paw Outfitters, Tim & Cindy Bowers Rt. 36, Box 2032, Livingston 59047, 222-6842										• Breakfast and dinner trail rides, hourly horseback riding.
Blue Ribbon Riding Tours, Dale Siegel 616 N. 14th, Livingston 59047, 222-7714										• Trail riding.
Elk Creek Guide and Outfitting, Ed Schilling Rt. 36, Box 2153, Livingston 59047, 222-4747										
Plying Diamond Guide Service, Jack W.P. Davis & Merton J. Davis Route 36, Box 2116, Livingston 59047, 222-1748										• Mt. day rides, camera safaris.
G & L Guide Service, George E. Radt 423 So. 13th St., Livingston 59047, 222-1979										
Lazy Heart Outfit, Gene & Linda Budzek P.O. Box 46, Livingston 59047, 222-7536										• Very limited private camping, buggy rides.
Luxury Day Outfitters, Ed Stillman Rt. 36, Box 4252, Livingston 59047, 886-4402										• Outback wilderness trips.
Chas. Marten, P.O. Box 424, Livingston 59047, 222-1475 or 222-2294										
Ray Senter, 726 North D St., Livingston 59047, 222-3775										• Trail riding.

Region 3

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Absaroka - Beartooth Wilderness
Yellowstone Park, Gallatin Forest

Name/Address/Telephone

Additional Information

63 Ranch, Sandy Cohl
Box 878, Livingston 89047, 222-0570

Wilderness Outfitters, J. Overton Smith
Rt. 68, Box 2116A, Livingston 89047, 222-0588

Wolverine Guide Service, Don Labort
P.O. Box 1386, Livingston 89047, 222-0380

Dave Williams Montana River Trips, Dave Williams
21128 Railroad St., Manhattan 59701, 284-3785

Black Otter Guide Service, Duane Hall
Box 88, Prov 58066, 333-4382

High Country Outfitters, C.B. "Chap" Rasmussen
Route 1, Box 516, Prov 58066, 333-4763

Hutchinson's Fly Shop & Guide Service, Jack & Karen Hutchinson
P.O. Box 387, Sheridan 59748, 842-5888

Tobacco Root Guest Ranch, John Heston
Mill Creek Road, Sheridan 59748, 842-8885

The Canoeing House & Blue Ribbon Guide Service, Al Anderson
RR 1, Box 182, Three Forks 59752, 286-3488

Elkham Outfitters, John Rose & Henry Barron
P.O. Box 987, Townsend 59644, 286-8825

Moose River Trout Shop, Paul Updike
Box 38, Townsend 59644, 286-3123

Beaver Trap Outfitters, Kenneth Whitman
Box 182, West Yellowstone 89758, 846-7852 or 846-8842

Harold S. Roberts,
P.O. Box 1132, West Yellowstone 89758, 846-7842

John C. Cargill,
RR 1, Box 1164, Whitefish 59758, 484-2880

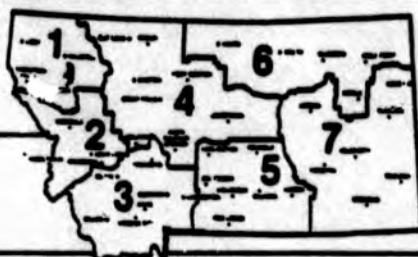
Mossy Horn Outfitters, Gordon Sampson
Rt. 1, Box 1806, Whitefish 59758, 287-5852

Wolf Creek Outfitters, T. Logan Schendel
Box 1604, Whitefish 59758, 287-3515

Elk Ridge Outfitters, Doug Landers
RR 1, Box 218, Whitefish 59758, 287-2378

Big Hole River Outfitters, Craig Feltin
Box 167, Wise River 59762, 832-3252

Pioneer Outfitter, Clifton G. & Charles A. Page
Alder Creek Ranch, Wise River 59762, 832-3128



Region 4

Name/Address/Telephone

Additional Information

Diamond Bar X, Charles & Dale Durr
Box 289, Augusta 58410, 562-3524

J&J Wilderness Ranch, Max & Ann Barker
Box 310, Augusta 58410, 562-3853

Ron Mills Outfitters, Ron Mills
Box 2, Augusta 58410, 562-3336

Mark Young,
Box 211, Augusta 58410, 562-3289

Rupert E. Parsons,
Box 86, Cascade 58421, 488-2828

Circle 8 Guest Ranch, Allen J. Huse
P.O. Box 729, Choteau 59422, 488-8864

M Hanging Creeks Outfitters & Guides, Chip & Sarah Gatchen
Box 788, Choteau 59422, 488-2523

7 Lazy P Guest Ranch, Sharon Skerud
Box 178, Choteau 59422, 488-2044

Eastlope Outfitters, Anthony Fowler
Box 640, Conrad 59425, 278-5814

John F. Hill,
Box 108, Geyser 58447, 735-1484

Baldwin's West Outfitters, C. Jay Baldwin
500 Ave. D NW, Great Falls 59404, 781-0848

Deer Creek Outfitters, Gary & Vi Anderson
1805 14 St. SW, Great Falls 59404, 482-7385

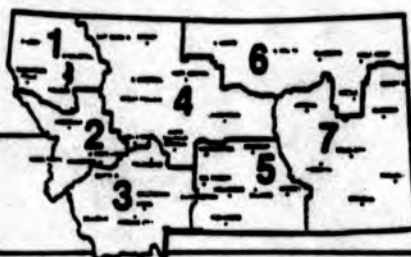
Elk Creek Outfitters, Robert E. Miller
663 Vaughn So. Frontage Rd., Great Falls 59404, 781-5184

High Country Adventures, Lester H. Latta, II
P.O. Box 176, Helena 59624-0176, 442-0070

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G	*	*	*	*	*	*	*	*	*	M
G	*	*	*	*	*	*	*	*	*	M, P
G	*	*	*	*	*	*	*	*	*	P
G	*	*	*	*	*	*	*	*	*	Private ranches
G	*	*	*	*	*	*	*	*	*	P: 10-day horseback trips over Bob Marshall Wilderness
G	*	*	*	*	*	*	*	*	*	M
G	*	*	*	*	*	*	*	*	*	M, P
G	*	*	*	*	*	*	*	*	*	
G	*	*	*	*	*	*	*	*	*	Mr. Gaylor and private dog hunting
C	*	*	*	*	*	*	*	*	*	M
G	*	*	*	*	*	*	*	*	*	M: 6-hole golf course on the beautiful Smith River. 95 mi. South of Great Falls
G	*	*	*	*	*	*	*	*	*	M
G	*	*	*	*	*	*	*	*	*	Backpacking trips—all gear, food & guides provided

Name/Address/Telephone	Maple	Aspen	Pine	Fir	Spruce	Juniper	Cedar	Willow	Bamboo	Additional Information
High Plains Outfitters, Mike Bay 31 Division, Helena 59601, 462-6571										Extended camping/float trips, 3-7 days
John Maki Outfitters, John Maki 1210 Shirley Rd., Helena 59601, 469-6341										
Paul Ross Outfitters - P.O. Paul S. Ross 1630 Leona, Helena 59601, 462-6489										Individual and group flyfishing instruction, bird hunting
Josh Schille Outfitters, Josh Schille 657 Cherry Ave., Helena 59601, 463-3765										
Judith River Ranches, Steve Murch Star Route, Higer 59451, 462-5854 or 462-5858										Historic tours in central Montana, and running camp history tours
B & S Outfitters, Elden & Barb Snyder R.R. #1, Box 1082, Lewistown 59457, 539-6891										St: Covered wagon ride for 3-day trips
E Lary Three Ranch, Kenny Hoffner Box 267, Lincoln 59635, 352-4258										St, P
Selberg's Pine Valley Cabins, Gerald & Sandra Selberg Martindale 59052, 572-3322										Camping cabins
Big Sky Peak Trips, Merritt & Barbara Price Box 15, Stanford 59478, 565-2488										St
Little Belt Outfitters, Dan Miltaton Box 453, Stanford 59478, 565-2620										
Canyon View 777 Ranch, Will Thresher Evans Rt., Stockert 59480, 738-6611										Hay rides, stage rides, dinner rides, group parties
Forewood Inn, Shana Company Box 404, White Sulphur Springs 59645, 547-3918										
Don Johnston 913 Smith River Rd., White Sulphur Springs 59645, 547-2173										Canoes rentals and shuttle services on the Smith River
Wapiti Peak Outfitters, Ron Carter Box 423, White Sulphur Springs 59645, 547-2115										St: summer pack trips up to 10 days, all accommodations available
Howard Zahniser Hunting, Howard Zahniser Box 534, White Sulphur Springs 59645, 547-3483										
Blackfoot Ranch, Sandra Rainer & Top Rittel Blackfoot Ranch, Wolf Creek 59648, 235-4330										St: facilities for small weddings, family reunions, business seminars
McDonough Outfitters, Norm McDonough Rural Rt., Wolf Creek 59648, 235-4305										St: hunt along the Continental Divide in the Falls Creek area. Cabins, horses, guides & costs furnished



Region 5

Name/Address/Telephone	Maple	Aspen	Pine	Fir	Spruce	Juniper	Cedar	Willow	Bamboo	Additional Information
Channing W. Wells - River Guide 316 McLeod Route, Big Timber 58011, 832-4388										Personalized fly fishing trips on Lower Yellowstone & Boulder rivers
Bighorn - Yellowstone Guide Service, Don Tennant 1809 Daniels Ln., Billings 59102, 252-5858										
Bull Mountain Outfitters, M.J. Murphy 2414 Brentwood, Billings 59102, 686-1117 or 258-6511										Working ranch guest operation
Shawwood Outfitters, John Shawwood Shane Creek Rd., Columbus 59019, 322-6338										
Bighorn Angler, Holly Brooks & Michael Craig Fort Smith 59035, 686-2233										Lodging, evening meal
Big Horn River Outfitters, Gail T. Lay P.O. Box 453YRS, Ft. Smith 59035, 686-2361										Upland bird & waterfowl hunting - "eat & blur"
Bighorn Trout Shop, Hale Harris P.O. Box 477, Park Dale Court, Ft. Smith 59035, 686-2375										
Eagle Outfitters & Eagle Nest Lodge, Alan Kelly P.O. Box 470, Hardin 59034, 686-3788										On the banks of the Big Horn River - private upland bird & waterfowl hunting
Golden Bear Outfitters, Walt Earl Sr. Box 248, Star Rt., Judith Gap 59453, 473-2312										
Burns Leather Ranch, Chuck Reid West Boulder Road, McLeod 59052, 537-6188 or 222-6788										Working ranch weekend

Region 4



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Members: 1000 N. 10th St., Billings, MT 59101
Box 970, Poncha 59022, 235-4725, 1-800-625-4410 (outside MT)

Port Pond Outfitters, Gary W. Bruns
Box 184, Fort Peck 59223, 235-6989 or 526-3631

Ray Perkins & Son, Chisago, Ray Perkins
1688 Main St., Miles City 59501, 233-4888

John A. Whitman
Breathes Stage, Miles City 59501, 421-5484

Yellowstone Game & Outfitters, Kurt Hughes
Tongue River Stage, Miles City 59501, 233-6286

Le A. Zeller
Kinsey Route, Miles City 59501, 232-6535

J & J Guide Service, James Byrne
Box 4, M8 Box 59042, 776-5991

Otter Creek Outfitters, Jim Wilkins
Box 31, Otter 59052, 784-6186

Additional Information

1000 N. 10th St.

Port Pond Outfitters

1000 N. 10th St.

1000 N. 10th St.

Region 1

Abbey, Gary
Rt. 2, Box 108
Ronan, MT 59064
General / 675-2142

Bishop, Richard R.
Box 2695, Scenic Drive
Seeley Lake, MT 59088
Special I, II / 254-2444

Bridges, Alvin L.
P.O. Box 938
Thompson Falls, MT 59873
General / 826-3913

Buchanan, Fred W.
385 Crane Mtn. Rd.
Bigfork, MT 59911
Special I, II / 837-4933

Cahoon, Francis
Box 30-A, Rt. 1
St. Ignace, MT 59065
Special I, II / 644-2896

Carr, Gerald
Drawer 766
Plains, MT 59059
Special I, II / 826-3970

Cheff, Edward "Nick"
Rt. 1, Box 124
Charlo, MT 59824
General / 644-2557

Chenoweth, Wendell
Rt. 2, Box 249
Trout Creek, MT 59874
Special I

Crain, Richard A.
P.O. Box 896
Plains, MT 59059
General / 826-3607

Fisher, Stanley
P.O. Box 1483
Trout Creek, MT 59874
General / 827-4812

Fishett, Calvin
Star Rt. 2, Box 308
Heron, MT 59844
Special I

Frisk, Robert
P.O. Box 456
Kalispell, MT 59901
General / 837-4423

Hand, Bernard C.
Box 117 Rondo Rd.
Rexford, MT 59830
Special I, II / 295-2673

Hawkins, Steve J.
Box 187
Eureka, MT 59917
General / 295-2642

Hayward, David L.
P.O. Box 520
Eureka, MT 59917
Special I

Henderson, Larry
1225 Truman Creek Rd.
P.O. Box 145
Kila, MT 59820
Special I, II

Hill, Edna V.
Box 1442
Trout Creek, MT 59874
General / 847-2252

Hill, William R.
Box 1471
Trout Creek, MT 59874
General / 827-3694

Holden, Anthony J.
P.O. Box 754
Thompson Falls, MT 59873
Special I, II

Hummel, Ronald M.
Box 501, Hwy. 83
Condon, MT 59826
Special I, II / 754-2351

Jensen, Halger
Rt. 1
Troy, MT 59835
Special I, II

Jetts, Frank L.
Swan Valley
Seeley Lake, MT 59888
General / 754-2510

Jordan, Robert V.
P.O. Box 272
West Glacier, MT 59836
Special I

Kayser, Mark D.
Star Rt. 3, Box 22
Heron, MT 59844
General / 847-2787

Kayser, Terry N.
Star Rt. 3, Box 22
Heron, MT 59844
General

Kelley, Rodney C.
825 Helena Plaza Rd.
Kalispell, MT 59901
Special I, II / 755-9573

Luton, Darrel G.
P.O. Box 1287
Thompson Falls, MT 59873
Special I, II

McAfee, William A.
Rt. 1, Yeak River Rd.
Troy, MT 59823
Special I, II / 295-4880

McCabe, Thomas A.
33 Baker Ave.
Whitefish, MT 59837
Special I

Mills, Patrick "Clim"
Rt. 1 (Yank)
Troy, MT 59835
General / 295-4003

Nevers, L.J.
P.O. Box 523
Nixon, MT 59853
General / 847-2414

Nelson, Greg
Box 1175
Kalispell, MT 59901
Special I

Nixon, Wade
Box 501
Libby, MT 59823
Special I, II / 293-8406

Noble, Cecil L.
130 Mary Lakes Dr.
Kalispell, MT 59901
General / 755-3723

O'Neill, Kent
Box 28
Kalispell, MT 59903
General

Peterson, Doug
Box 227, Bull River
Nixon, MT 59853
General / 847-2841

Ray, Jack C.
Box 886
St. Mary, MT 59417
General / 732-4453

Robbins, Otis
816 Woodland Ave.
Kalispell, MT 59901
Special I, II / 755-6385

Rogers, Robert E.
Swan Route
Swan Lake, MT 59811
General / 886-2162

Rolfing, Steve C.
1786 Middle Rd. C.
Columbia Falls, MT 59912
Special I, II / 755-9044

Smith, Glenn E.
Star Route, Box 282
Trout Creek, MT 59874
Special I, II / 827-4908

Smith, Mike
Rt. 1, Box 30-2
Ronan, MT 59064
General / 676-5008

Stamper, Jack F.
Box 738
Eureka, MT 59917
Special I, II / 295-2443

Strain, Robert E.
Star Rt. 1, Box 120
Libby, MT 59823
General / 961-4752

Tidwell, William H.
475 Elk Park Rd.
Columbia Falls, MT 59912
Special I, II / 886-3344

Timmons, Patrick C.
Box 52
Stevensville, MT 59870
General / 777-3814

Tenemaire, Joseph L.
P.O. Box 871
Salmon, ID 83467
Special I, II / 208-756-3958

Vandermeiden, Rick
Rt. 2, Box 41
Heron, MT 59844
General / 847-2277

Wyrtick, W.J.
Box 79
East Glacier, MT 59434
General / Phone:
Bear Creek #2

Region 2

Abbott, William M., Jr.
415 Main St.
P.O. Box 1332
Hamilton, MT 59840
Special I, II / 363-2408

Bailey, Timothy P.
Rt. 2, Box 6365
Superior, MT 59872
General / 822-4473

Basham, Christopher G.
221 Commerce
Missoula, MT 59802
Special I, II / 549-6671

Bellula, David K.
341 Sky Pilot Lane
Stevensville, MT 59870
Special I, II / 543-8655

Brawley, Steven G.
2481 N. Birch Creek Rd.
Corvallis, MT 59828
Special I / 363-1050

Burre, Ronnie C.
W. Fork Rt.
Darby, MT 59829
Special I, II / 821-4408

Craginski, Stanley A.
Box 167
DeBorgia, MT 59830
General / 678-4364

Celis, Chris
Sundance Ranch
Coopers Lake Rd.
Ovando, MT 59854
General / 793-5533

Copenhagen, Steven D.
45 Cooper La Le Rd.
Ovando, MT 59854
General / 793-5547

Dales, Frank R. Jr.
Star Rt., Box 423
Greenough, MT 59836
General / 793-5702

Doty, Patrick W.
612 Minnesota
E. Missoula, MT 59802
Special I / 728-2984

Drivville, James "Tom"
Box 207
Darby, MT 59829
General / 821-3445

Duffalo, Bruce J.
16950 Lolo Creek Rd.
Lolo, MT 59847
General / 273-2160

Easley, Walter D.
Box 462
Corvallis, MT 59828
General

Ekstrom, Dan J.
Box 885
Clinton, MT 59825
General / 825-6295

Eiser, Arnold D. "Smoke"
3900 Rattlesnake
Missoula, MT 59802
General / 549-2820

Erg, John S.
320 Easy St.
Missoula, MT 59802
Special I / 549-1492

Gross, Robert L.
Star Rt.
Hall, MT 59837
General / 288-3597

Habel, Don
Box 135
Corvallis, MT 59828
Special I, II

Harrington, Dave
Box 632
Lincoln, MT 59639
General / 362-4581

Hansen, John S.
P.O. Box 839
Superior, MT 59872
General / 822-4475

Hettinger, David W.
Box 107
Ovando, MT 59854
General / 793-5773

Green, Rick A. 3787 E. 116th Ave. Thornton, CO 80229 Special I / 303-451-7788	Elkton, Harold R. Rt. 3, Box 2270 Livingston, MT 59047 Special II	Mc Gue, James L. 2680 Red Rock Rd. Dillon, MT 59725 General / 276-3476	Perich, Brad P.O. Box 581 Big Sky, MT 59716 Special I / 662-4328	Seals, Jim M. Box 671 Livingston, MT 59047 General / 222-7834	Thompson, Terry D. 255 S. Dakota Dillon, MT 59725 General / 662-4006
Mc, Stanley E. Jar 1308 Livingston, MT 59047 General / 222-0074	Elas, Russell D. 316 So. Argenta Dillon, MT 59725 Special I, II / 662-4820	Mc Gue, Johnny C. Box 1132, Roger Lane Livingston, MT 59047 Special I, II / 222-0406	Perkins, Michael E. Riverside Ranch Box 5 Toson, MT 59643 General / 266-3742	Sehnas, Ladislaus J. 18 Horn Park Rd. Toson, MT 59644 General / 266-3818	Tryba, Thomas M. Box 1320, 914 W. Park Livingston, MT 59047 General / 222-0763
Heimer, Joseph A. Box 648 Gardiner, MT 59030 General / 848-7633	Kauntz, Richard F. 9600 Muffin Ln. Bozeman, MT 59715 General / 587-2508	McFall, Patrick E. Box 682 Ennis, MT 59729 Special I, II / 662-7557	Peckson, William H. Star Route East Anaconda, MT 59711 General / 797-3327	Seeding, Don Box 75 Ennis, MT 59065 Special I / 222-0388	Tresh, Alfred Box 1307 Dillon, MT 59725 Special II / 662-2752
Heinrichs, William F. P.O. Box 732 Belgrade, MT 59714 Special II / 388-4695	Kumlen, David L. 415 W. Alderson Bozeman, MT 59715 Special I, II / 587-9653	McLaren, Steven D. Box 220, Canyon Rd. Gallatin Gateway, MT 59730 Special I, II / 995-4044	Reid, Randy P.O. Box 82 Ennis, MT 59725 General / 662-7888	Sevenson, Michael N. 3211 Lost Creek Rd. Anaconda, MT 59711 General / 675-3388	Walls, Scott E. 206 So. Main St. Twin Bridges, MT 59754 Special II / 684-5651
Heintz, Thomas M. 3246 Linney Rd. Bozeman, MT 59715 General / 388-4838	Lahman, Larry A. P.O. Box 1218 Livingston, MT 59047 General / 222-3168	Mentzer, Gregory G. 3 Edge Brooke Way Newark, DE 19702 Special II / 302-728-3487	Reid, Randy P.O. Box 82 Ennis, MT 59725 General / 662-7888	Sevenson, Eric R. Box 584 Carmen, MT 59720 Special I, II / 662-4360	Welsh, Joseph M. Box 171 Whitehall, MT 59759 General / 287-3703
Howard, Dale P. Box 247 Ennis, MT 59729 Special II / 682-4834	Lenders, Patrick R. Box 97 Prey, MT 59065 General / 333-4457	Meredith, Ralph 2638 Schwab Rd. Bay City, MI 48708 Special I, II	Reid, Randy P.O. Box 82 Ennis, MT 59725 General / 662-7888	Sevenson, Dan P.O. Box 884 Ashton, ID 83420 Special II	Wishburn, James G. Box 386 Ennis, MT 59729 Special I, II / 682-4862
Mull, Robert D. Box 581 West Yellowstone, MT 59758 Special I, II / 848-5644	Lane, Mark A. 2325 Reservoir Lane, Apt. 14 Redding, CA 96002 Special I, II	Miller, Larry P. 124 Electric, Box 1080 West Yellowstone, MT 59758 Special II / 648-7707	Reid, Randy P.O. Box 82 Ennis, MT 59725 General / 662-7888	Sevenson, Dan P.O. Box 884 Ashton, ID 83420 Special II	Wishburn, James G. Box 386 Ennis, MT 59729 Special I, II / 682-4862
Hungerford, Eugene Rt. 1, Box 1220 Whitehall, MT 59759 General / 287-3374	Lantis, Robert D. Box 1575 Rapid City, SD 57709 General	Milner, Larry P. 124 Electric, Box 1080 West Yellowstone, MT 59758 Special II / 648-7707	Reid, Randy P.O. Box 82 Ennis, MT 59725 General / 662-7888	Sevenson, Dan P.O. Box 884 Ashton, ID 83420 Special II	Wishburn, James G. Box 386 Ennis, MT 59729 Special I, II / 682-4862
Hymas, Bill J. Canyon Rd. Box 228 Gallatin Gateway, MT 59730 General	Lapham, Max C. Box 795 Jackson, MT 59736 General / 834-3134	Milner, Larry P. 124 Electric, Box 1080 West Yellowstone, MT 59758 Special II / 648-7707	Reid, Randy P.O. Box 82 Ennis, MT 59725 General / 662-7888	Sevenson, Dan P.O. Box 884 Ashton, ID 83420 Special II	Wishburn, James G. Box 386 Ennis, MT 59729 Special I, II / 682-4862
Jacklin, Robert V., Jr. Box 310 West Yellowstone, MT 59758 Special I, II / 848-7338	Lawson, Michael J. Star Route Last Chance St. Anthony, ID 83420 Special II / 208-558-7525	Milner, Larry P. 124 Electric, Box 1080 West Yellowstone, MT 59758 Special II / 648-7707	Reid, Randy P.O. Box 82 Ennis, MT 59725 General / 662-7888	Sevenson, Dan P.O. Box 884 Ashton, ID 83420 Special II	Wishburn, James G. Box 386 Ennis, MT 59729 Special I, II / 682-4862
Johnson, Edwin L. Box A Corwin Springs, MT 59021 Special I	Lafer, Albert F. P.O. Box 70 Mallory, MT 59743 General / 835-2677	Milner, Larry P. 124 Electric, Box 1080 West Yellowstone, MT 59758 Special II / 648-7707	Reid, Randy P.O. Box 82 Ennis, MT 59725 General / 662-7888	Sevenson, Dan P.O. Box 884 Ashton, ID 83420 Special II	Wishburn, James G. Box 386 Ennis, MT 59729 Special I, II / 682-4862
Johnson, Kathryn M. Jardine Rt., Box 185 Gardiner, MT 59030 General / 848-7256	Landa, Roy R. 202 South Main Livingston, MT 59047 Special II / 222-7977	Milner, Larry P. 124 Electric, Box 1080 West Yellowstone, MT 59758 Special II / 648-7707	Reid, Randy P.O. Box 82 Ennis, MT 59725 General / 662-7888	Sevenson, Dan P.O. Box 884 Ashton, ID 83420 Special II	Wishburn, James G. Box 386 Ennis, MT 59729 Special I, II / 682-4862
Johnson, Terry C. 3038 Candy Lane Bozeman, MT 59715 General / 586-3212	Lewis, Frederick A. 2304 State St. Butte, MT 59701 General / 484-6091	Milner, Larry P. 124 Electric, Box 1080 West Yellowstone, MT 59758 Special II / 648-7707	Reid, Randy P.O. Box 82 Ennis, MT 59725 General / 662-7888	Sevenson, Dan P.O. Box 884 Ashton, ID 83420 Special II	Wishburn, James G. Box 386 Ennis, MT 59729 Special I, II / 682-4862
Jones, D. Brent Box 681 Dillon, MT 59725 Special I	Lilly, Greg 2012 N. 7th Bozeman, MT 59715 Special II / 586-0902	Milner, Larry P. 124 Electric, Box 1080 West Yellowstone, MT 59758 Special II / 648-7707	Reid, Randy P.O. Box 82 Ennis, MT 59725 General / 662-7888	Sevenson, Dan P.O. Box 884 Ashton, ID 83420 Special II	Wishburn, James G. Box 386 Ennis, MT 59729 Special I, II / 682-4862
Kavanaugh, Dennis G. Box 5031 Bozeman, MT 59715 General / 587-5923	Mason, David M. 1324 W. Platinum Butte, MT 59701 Special I, II / 782-5578	Milner, Larry P. 124 Electric, Box 1080 West Yellowstone, MT 59758 Special II / 648-7707	Reid, Randy P.O. Box 82 Ennis, MT 59725 General / 662-7888	Sevenson, Dan P.O. Box 884 Ashton, ID 83420 Special II	Wishburn, James G. Box 386 Ennis, MT 59729 Special I, II / 682-4862
Kent, James D. 405 W. Lewis Box 735 Livingston, MT 59047 Special II / 222-1110	Mathews, Craig R. Box 1037 West Yellowstone, MT 59758 Special I, II / 648-9365	Milner, Larry P. 124 Electric, Box 1080 West Yellowstone, MT 59758 Special II / 648-7707	Reid, Randy P.O. Box 82 Ennis, MT 59725 General / 662-7888	Sevenson, Dan P.O. Box 884 Ashton, ID 83420 Special II	Wishburn, James G. Box 386 Ennis, MT 59729 Special I, II / 682-4862
Keating, Frances J. P.O. Box 116 McAllister, MT 59740 Special II / 682-4447	Mathews, Craig R. Box 1037 West Yellowstone, MT 59758 Special I, II / 648-9365	Milner, Larry P. 124 Electric, Box 1080 West Yellowstone, MT 59758 Special II / 648-7707	Reid, Randy P.O. Box 82 Ennis, MT 59725 General / 662-7888	Sevenson, Dan P.O. Box 884 Ashton, ID 83420 Special II	Wishburn, James G. Box 386 Ennis, MT 59729 Special I, II / 682-4862

Wright, Mary
498 W. Lewis
Livingston, MT 59047
Special I / 222-1110

Yaden, Arthur L.
Rt. 1, Box 487
Manhattan, MT 59741
General / 284-3702

Region 4

Allen, Demetris E., Jr.
Box 63
Garnett, MT 59445
General / 374-2389

Anderson, Edwin R.
P.O. Box 152
Browning, MT 59417
General / 338-7413

Arnett, Edward F.
Utica, MT 59452
General / 423-6301

Barker, Elizabeth
Box 329
Augusta, MT 59410
General / 562-3672

Bertzel, Monte J.
P.O. Box 1090
Conrad, MT 59425
Special I

Caldrider, Douglas
Box 17
White Sulphur Springs, MT 59645
Special I / 547-3962

Cardinal, Peter J.
Craig, MT 59421
Special I, II / 488-2743

Carlson, Lee
P.O. Box 327
Augusta, MT 59410
General / 278-3444

Celander, Andy
Box 229
White Sulphur Springs, MT 59645
Special I, II / 547-2177

Chaplin, O. Raymond
4749 Head Dr.
Helena, MT 59601
Special I, II / 442-2102

Chetlain, Dennis P.
P.O. Box 323
Valer, MT 59486
General / 472-3315

Coleman, Helen E.
Box 321, RR 1
Benton Gulch
White Sulphur Springs, MT 59645
Special I, II / 547-3463

Coman, Stan
233 Anderson Blvd.
Helena, MT 59601
Special I / 443-3531

Corr, Ronald M.
P.O. Box 253
White Sulphur Springs, MT 59645

Cox, Richard L.
Old Edge Rd.
Lewistown, MT 59457
General / 538-7821

DeBee, Richard
Box 908
Valer, MT 59486
General

Derwile, Robert W.
2711 Spokane Creek Rd.
East Helena, MT 59601
General / 475-3070

Dupae, Robert L.
Box 526
White Sulphur Springs, MT 59645
Special I, II / 547-3432

Elliott, Thomas E.
N-Bar Ranch
Grass Range, MT 59032
Special I, II / 428-2487

Filinger, Steve
Calvert Rd.
Stockert, MT 59480
Special I, II / 738-5861

Galt, William W.
Box 618
White Sulphur Springs, MT 59645
General / 547-2107

Geavada, James M.
Calvert Rd.
Stockert, MT 59480
General / 738-5416

Gipserick, John S.
Box 386
Hilger, MT 59451
Special I / 538-8643

Heckman, Bud
Box 190
Augusta, MT 59410
General / 562-3336

Hill, Raymond O.
Raynsford, MT 59489
General

Hill, William O.
Geyser, MT 59447
Special I

Hinderager, Ted
Box 141
Fort Shaw, MT 59443
General / 264-5126

Jackson, Richard T.
Box 325
East Glacier, MT 59434
General / 338-2108

Jannascha-Wilson,
Janice J.
629 Harrison Ave.
Helena, MT 59601
Special I / 443-2884

Klek, Dick
Box 287
Augusta, MT 59410
General / 264-6808

Knight, Eugene R.
Utica, MT 59452
General / 423-5541

Koss, Steven R.
Rt. 1
Winifred, MT 59489
Special I / 482-8535

Kopas, Leonard L.
417 North Warren
Helena, MT 59601
Special I, II / 448-7200

Le Vegas, Dennis A.
Box 1280
Cascadia, MT 59421
Special I / 488-2942

Madson, Raymond C.
1401 8th Avenue S.
Great Falls, MT 59401
Special I, II / 761-1677

Masching, Keith
Box 84
Winifred, MT 59489
Special I

Marritt, Donald
713 Poplar
Helena, MT 59601
General / 442-7127

Montanye, William J.
3123 Terrace Ave.
Helena, MT 59601
General / 442-8124

Morgan, Lester M.
Box 115
Winifred, MT 59489
General / 482-5340

Norgaard, Lester J.
P.O. Box 881
Lewistown, MT 59457
General / 538-7618

O'Leary, Warren D.
330 N. Jackson,
P.O. Box 422
Helena, MT 59624
Special II / 442-2630

Olsen, Ray G.
Box 636
Grass Range, MT 59032
General / 428-2195

Pasquale, Richard W.
825 8th Ave. So.
Great Falls, MT 59405
Special II / 463-8182

Reasland, John
Box 444
Lewistown, MT 59457
Special I / 538-2903

Smith, Sonny
Box 228
Lewistown, MT 59457
General / 538-5132

Steel, Ben A.
South Fork Lodge
Utica, MT 59452
General / 374-2366

Stevens, Arthur J.
Box 237
Augusta, MT 59410
General / 562-3863

Teague, Bob R.
Box 580
White Sulphur Springs, MT 59645
General / 547-3489

Tedman, Fred J.
139 E. 8th Ave.
P.O. Box 688
Helena, MT 59601
Special I, II / 443-7431

Walters, Art
Box 348
Augusta, MT 59401
General / 562-3822

Region 5

Beves, Robert J.
P.O. Box 1233
Big Timber, MT 59011
General / 532-6882

Bunger, Chris W.
Box 8
Roscoe, MT 59071-0008
Special I, II / 328-6145

Bunger, John P. IV
Box 1886
Red Lodge, MT 59088
Special I, II

Carlson, Larry W.
Box 763
Billings, MT 59103
General

Collins, Curtis D.
2816 Glenwood
Billings, MT 59102
Special II

Cooper, Jim H.
1348 Elaine
Billings, MT 59105
Special I, II

Cramer, William J.
McLeod Rd., Box 304
Big Timber, MT 59011
Special I, II / 932-4382

Curtain, R.L.
Rt. 2
Nye, MT 59061
General

Danahoe, Paul T.
Box 250
Nye, MT 59061
Special I, II / 328-8439

Flanagan, Martin J.
P.O. Box 1281
Big Timber, MT 59011
General / 328-6228

Flanagan, Maurice H.
Rt. 1, Box 41
Absarokee, MT 59001
General / 328-8401

Hadrisk, Paul E. Jr.
Box 627
Redpoint, MT 59069
Special I, II

Halman, Ralph M.
Box 33
McLeod, MT 59052
General / 932-3358

Jackson, Victor J.
Box 1074
Cooke City, MT 59020
General / 684-2329

Kelly, George J.
Box 624, YRS
Hardin, MT 59035
Special I, II

Langston, Samuel
Box 144, Marvile Rd.
Big Timber, MT 59011
Special I, II / 637-4471

Langston, James E.
Rt. 2, Box 260
Nye, MT 59061
General / 328-8420

Laughery, James R.
P.O. Box 50481
Billings, MT 59105
Special I, II

Mathews, Harry E.
Box 236
Ryegeat, MT 59074
Special I, II / 688-2340

McCaleb, Howard L.
Box 1116
Columbus, MT 59019
Special I, II

McLenn, Monte
Box 1282
Big Timber, MT 59011
General

Mouet, Charles S.
P.O. Box 488
Nye, MT 59061
Special II / 328-8294

Paulson, Florence M.
Rt. 1, Box 902
Red Lodge, MT 59088
General / 448-2376

Plakons, James L.
2608 Third Avenue N.
Billings, MT 59102
Special I, II / 252-8843

Rahn, Charles M.
Box 174, Melville Rd.
Big Timber, MT 59011
Special I

Ramhold, Bernard H.
Box 583
Big Timber, MT 59011
Special I, II / 932-4731

Robert, Steven D.
Box 1073
Big Timber, MT 59011
Special I, II

Russell, Roland L.
Box 115
Pray, MT 59065
General / 684-4619

Russell, Sheri
P.O. Box 563
Absarokee, MT 59001
General / 328-8408

Thompson, Teddy
Box 976
Big Timber, MT 59011
General / 932-2581

Tyler, Dudley L.
P.O. Box 479
Big Timber, MT 59011
Special II

Tyler, James K.
Box 310, McLeod Rd.
Big Timber, MT 59011
Special II

Yager, Larry E.
2888 Riverside Rd.
Billings, MT 59108
Special I

Region 6

Burke, Don J.
Box 488
Glasgow, MT 59230
Special I / 387-5247

Rummet, David L.
Box 501
Zornan, MT 59648
General

Sherwood, John W.
Shane Creek Rd.
Columbus, MT 59019
Special I, II

Shores, Earl R.
Box 1136
Melfa, MT 59638
General / 654-1551

Region 7

Abbott, Charles E.
Powderville Stage
Miles City, MT 59301
General / 554-3545

Bales, Walter Keith
Rt. 1, Box 33
Otter, MT 59082
Special I / 784-2487

Berthelme, Robert M.
Box 282
Lincoln, MT 59639
General

Boris, Sam C.
Box 1241
Forsyth, MT 58327
Special I / 356-2469

Bristley, Jim
410 So. Montana
Miles City, MT 59301
Special I

Childress, Gregory A.
Box 342
Broadus, MT 59317
Special II

Cochran, Charles
Box 818
Española, NM 87532
General / 505-753-4885

Dube, Peter J.
RR 1, Box 95
Buffalo, WY 82834
General / 307-684-5464

Espy, Jim
Boyes, MT 58316
Special I / 427-5283

Gentry, Ray
BP Route
Glandville, MT 59330
Special I / 687-3679

Greath, Kenneth
Box 678
Broadus, MT 59317
Special I / 427-5487

Kibler, Myron L.
Sand Springs, MT 59077
Special I / 557-2503

Kinchadee, Robert
Box 192
Melstone, MT 59054
Special I / 358-2284

Landa, Jerry
Box 26
Boyes, MT 59316
Special I / 427-5490

Leameister, Arnold
Powderville Stage
Miles City, MT 59301
Special I / 232-6148

Martin, Jerry A.
P.O. Box 9
Dayton, WY 82836
Special I, II /
307-655-9448

Mogen, Robert L.
Box 968
Forsyth, MT 59327
Special I / 356-7787

Moletad, Jody
Ekalaka, MT 59324
General

Niles, Rocky L.
Rt. 2, Box 147
Fairview, MT 59221
General / 747-5195

Rumph, Richard H.
Box 343
Biddle, MT 59314
Special I / 427-5452

Stuver, John A.
Box 121
Broadus, MT 59317
Special I / 427-5796

Swope, Connie
Box 356
Biddle, MT 59314
Special I

Taylor, Ridge W.
Box 2356
Jackson Hole, WY 83001
Special I / 307-733-9041

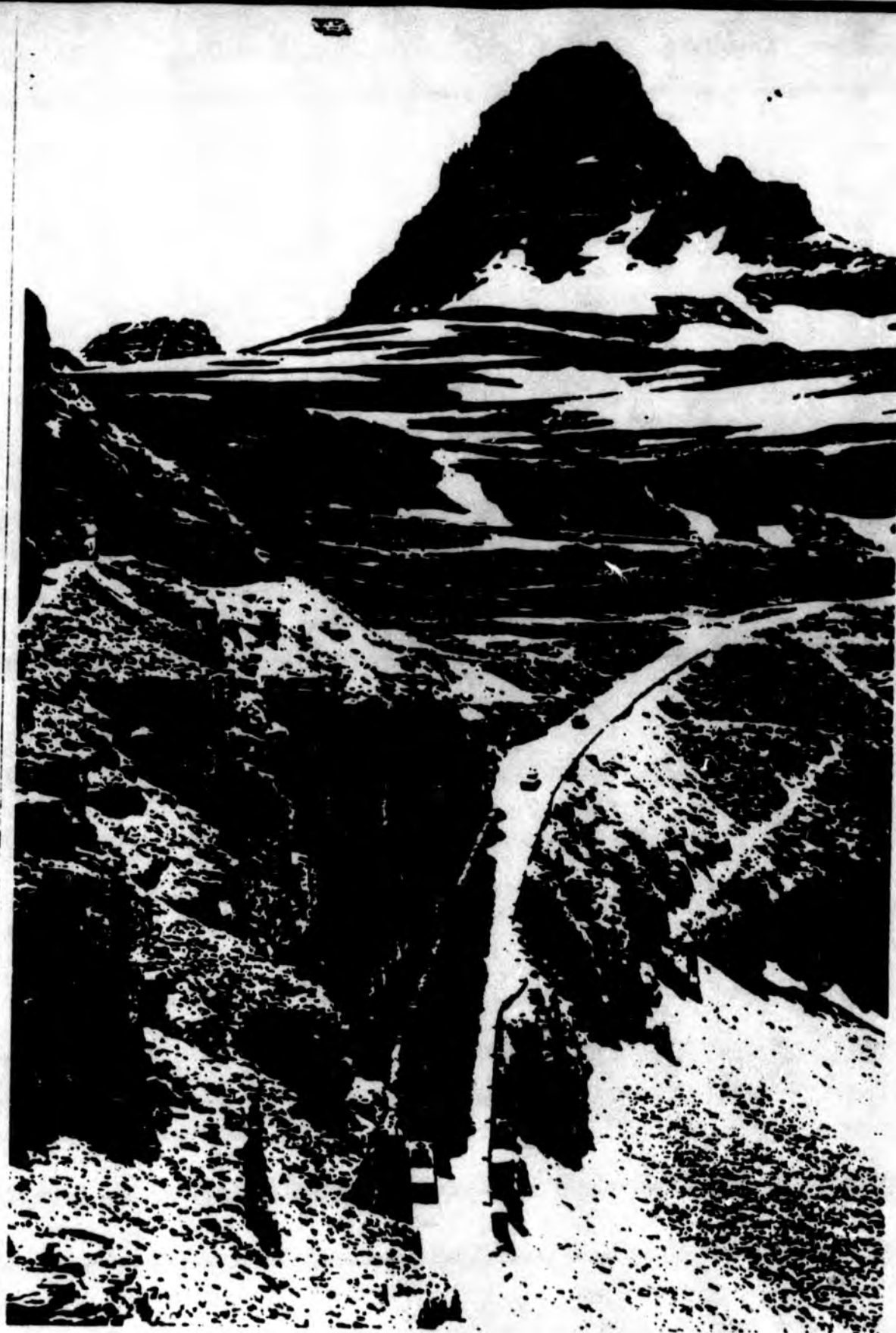
Trumbo, John E.
Box 325
Jordan, MT 59337
Special I / 557-2224

Turnbough, Norman
Broadus, MT 59317
Special I

Twitchell, Judd
Jordan, MT 59337
Special I / 557-2554

Weiss, Herbert
220 Chestnut FD
Glendive, MT 59330
Special I / 365-5796

Williams, Dale W.
Sonnette, MT 59348
Special I / 427-5210



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Colorado

Chapter 704

1987 REPLACEMENT PART

Outfitters and Guides

GENERALLY

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GENERALLY

704.010 Definitions. As used in this chapter:

(1) "Board" means the State Marine Board.

(2) "Employee" means an individual who, in exchange for compensation or other pecuniary gain, provides outfitting and guiding services exclusively under the direction, supervision and control of an outfitter and guide or an ocean guide.

(3) "Ocean guide" means any individual who carries passengers for hire for outdoor recreational activities only on the waters of the Pacific Ocean over which the State of Oregon has jurisdiction and who possesses therefor a valid United States Coast Guard vessel operator license.

(4) "Outdoor recreational activities" include, but are not limited to, boating, angling, hunting, jeep touring, backpacking, alpine mountain climbing, camping, trips utilizing pack animals, dog sled trips, helicopter skiing, whitewater float trips, rafting trips, drift boat trips, kayak trips, inflatable canoe trips and canoe trips. The duration of any outdoor recreational activities may be for a few hours or for several days or weeks.

(5)(a) "Outfitter and guide" means any person:

(A) Who provides, or who offers to provide, for compensation or other pecuniary gain:

(i) Outfitting and guiding services in Oregon; or

(ii) Outfitting and guiding services and either equipment, supplies, livestock or materials for use in Oregon; or

(B) Who holds one or more federal permits for commercial outfitting and guiding services for use in any forest or wilderness or on any river in Oregon.

(b) "Outfitter and guide" does not include:

(A) An ocean guide or an employee of an outfitter and guide or ocean guide; or

(B) An individual who, for compensation or other pecuniary gain, provides outfitting and guiding services for the conduct of outdoor recreational activities exclusively upon property owned or controlled by the individual.

(6) "Outfitting and guiding services" include, but are not limited to, leading, protecting, instructing, training, cooking, packing, guiding, transporting, supervising, interpreting or otherwise assisting any person in the conduct of out-

door recreational activities. The rental of equipment alone does not constitute outfitting and guiding services.

(7) Outfitting and guiding services are not offered or provided for compensation or pecuniary gain if:

(a) No individual receives any dues, fee, salary, commission, bonus, tip, compensation, equipment, materials, livestock, supplies, rental payment, amortization payment, depreciation payment or other financial gain; and

(b) No money or other remuneration is in any manner paid or collected except as a sharing by trip participants of the costs or expenses for the trip. [1983 c.655 §1]

704.020 Registration required; liability insurance; fees. (1) Any person who acts, or who offers to act, as an outfitter and guide must first register with the board. Each registration shall be submitted annually on a form provided by the board and shall include the following information:

(a) The name, residence address, and residence telephone number of the person providing outfitting and guiding services, and all business names, addresses and telephone numbers under which outfitting and guiding services are provided.

(b) If the outfitting and guiding services are to be performed in the business name of an individual, proof of possession of a current certificate issued to the individual:

(A) By the American Red Cross upon completion of its multimedia course; or

(B) Upon completion of any equivalent medical or American Red Cross training course approved by the board.

(c) If the outfitting and guiding services are to be performed in the business name of a person other than an individual, the outfitter and guide must provide the names of all employees, agents and parties in interest who physically provide, or who directly assist in physically providing, outfitting and guiding services in Oregon, together with the affidavit of the outfitter and guide that each such employee, agent or party in interest possesses a current certificate issued to the employee, agent or party in interest:

(A) By the American Red Cross upon completion of its multimedia course; or

(B) Upon completion of any equivalent medical or American Red Cross training course approved by the board.

(d) A description of:

(A) The outfitting and guiding services, and any equipment, supplies, livestock and materials provided by the outfitter and guide;

(B) The geographic area in which the outfitter and guide provides the outfitting and guiding services, and any equipment, supplies, livestock and materials; and

(C) The experience of the outfitter and guide in providing the outfitting and guiding services, and equipment, supplies, livestock and materials.

(e) Proof that the outfitter and guide has liability insurance covering occurrences by the outfitter and guide, and the employees of the outfitter and guide, which result in bodily injury or property damage. Such insurance shall be not less than the following amounts:

(A) \$300,000 per occurrence general liability coverage; or

(B) Bodily injury liability coverage of at least \$100,000 per person to a total of \$300,000 per occurrence, and \$10,000 property damage per occurrence.

(f) Certification by the outfitter and guide that the outfitter and guide will maintain the insurance required by paragraph (e) of this subsection continuously in full force and effect for a period of not less than one year from the date the certificate of registration described in subsection (3) of this section is issued by the board.

(g) The affidavit of the outfitter and guide stating that for a period of not less than 24 months immediately prior to making the registration application the outfitter and guide and each person who provides or assists in directly providing outfitting and guiding services:

(A) Have not been convicted of:

(i) Any violation of ORS 496.992 (2); or

(ii) Any violation of the wildlife laws which occurred while acting as an outfitter and guide and which resulted in court ordered revocation of the hunting or fishing license of the outfitter and guide;

(B) Have not had an outfitting and guiding license, permit or certificate revoked by another state or by an agency of the government of the United States; and

(C) Have not been denied the right to apply for an outfitting and guiding license, permit or certificate by another state.

(2) Each annual registration shall be accompanied by a fee of \$50.

(3) Upon the submission to the board of the appropriate filing fee in subsection (2) of this

section and the registration information required by this section, the board shall issue to the applicant an Oregon Outfitter and Guide certificate of registration. The board shall also issue to each registrant proof of compliance with the requirements of this section, which the registrant must have in possession and submit for examination by any person authorized to enforce this chapter while the registrant is engaged in providing outfitting and guiding services. [1983 c.655 §2; 1985 c.452 §1; 1987 c.400 §1]

704.030 False statements in registration application prohibited. No person shall make any false statement of material fact submitted pursuant to ORS 704.020. [1983 c.655 §5]

704.040 Revocation of registration; restriction on registration application after revocation. (1) When any person is convicted of any violation of ORS 704.020 or 704.030 or any rule promulgated pursuant to ORS 704.500, forfeits bail in connection with any such offense, or pleads nolo contendere to any such offense, the court having jurisdiction of the offense may order the board to revoke the certificate of registration issued to that person pursuant to ORS 704.020.

(2) When a court orders revocation of a certificate of registration pursuant to this section, the court shall take up the certificate of registration and forward it with a copy of the revocation order to the board. Upon receipt thereof, the board shall cause revocation of the certificate of registration in accordance with the court order.

(3) A person who has had a certificate of registration revoked pursuant to this section is ineligible to register under ORS 704.020 for a period of 24 months from the date the court ordered the revocation. [1983 c.655 §7]

704.050 Cancellation of liability insurance; notice to board; suspension of registration. (1) If an insurance company cancels or refuses to renew insurance for an outfitter and guide required by ORS 704.020, the insurance company, not less than 30 days prior to the effective date of termination of the coverage, shall notify the board in writing of the termination and its effective date.

(2) Upon receipt of an insurance coverage termination notice, the board shall send written notice to the outfitter and guide that on the effective date of the insurance coverage termination, the board will suspend the certificate of registration of the outfitter and guide unless proof of insurance required by ORS 704.020 is filed with the board prior to the effective date of the proposed insurance coverage termination.

(3) The board may suspend the certificate of registration issued to an outfitter and guide if the outfitter and guide fails to maintain in full force and effect the insurance required by ORS 704.020. A certificate of registration that has been suspended pursuant to this section may not be reinstated until proof of insurance required by ORS 704.020 has been filed with the board. [1983 c.655 §8]

ADMINISTRATION

704.500 Rules. In accordance with any applicable provisions of ORS 183.310 to 183.550, the board may promulgate rules to carry out the provisions of this chapter. [1983 c.655 §3]

704.510 Outfitters and Guides Account. The Outfitters and Guides Account is established in the General Fund of the State Treasury. Except as otherwise provided by law, all moneys received by the State Marine Board pursuant to ORS 704.020 shall be paid into the State Treasury and credited to the account. All moneys in the account are appropriated continuously to the board to carry out the provisions of this section, ORS 704.020 and 704.500. [1983 c.655 §4]

704.520 Board to submit list of registrants to tourism promotion agency. The board will submit annually to the state agency given the responsibility of state tourism promotion a registration list of outfitters and guides and the following information:

(a) The name, business names, addresses and telephone numbers under which outfitting and guiding services are provided;

(b) A description of the outfitting and guiding service;

(c) The geographic area in which the outfitting and guiding service is provided; and

(d) The experience of the outfitter and guide in providing the outfitting and guiding service. [1983 c.655 §9]

PENALTIES

704.990 Penalties. (1) Failure to comply with ORS 704.020 is a Class B misdemeanor.

(2) Violation of ORS 704.030 is a Class B misdemeanor. [1983 c.655 §6]

Colorado

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TITLE 12
PROFESSIONS AND OCCUPATIONSARTICLE 55.5
Outfitters

12-55.5-101. Legislative declaration. It is the intent of the general assembly to promote and encourage residents and non residents alike to participate in the enjoyment and use of the mountains, rivers, and streams of Colorado and the state's fish and game and, to that end, in the exercise of the police power of this state for the purpose of safeguarding the health, safety, welfare, and freedom from injury or danger of such residents and non residents, to license and regulate those persons who, for compensation, provide equipment or personal services to such residents and non residents for the purpose of hunting and fishing. It is not the intent of the general assembly to interfere in any way with the business of livestock operations or to prevent such livestock operators or owners from loaning or leasing buildings or animals to persons, nor is it intended to prevent said owner or operator from accompanying a person or persons on land that he owns or operates, nor is it the intent of the general assembly to interfere in any way with the general public's ability to enjoy the recreational value of Colorado's mountains, rivers, and streams when the services of commercial outfitters are not utilized nor to interfere with the right of the United States to manage the public lands under its control.

12-55.5-1002. Definitions. As used in this article, unless the context otherwise requires:

(1) "Board" means the Colorado outfitter's licensing board.

(2) "Outfitter" means any person soliciting to provide or providing, for compensation, facilities, guide services, or transportation for the primary purpose of hunting, fishing, or taking protected wildlife and fish; but "outfitter" does not include any person whose only service is the providing of motor vehicles, horses, or other equipment for rent.

(3) "Person" means an individual, firm, association, partnership, corporation, or other legal entity.

12-55.5-103. Colorado outfitters' licensing board - creation - termination. (1) The Colorado outfitters' licensing board is hereby created. The board shall consist of five members appointed by the governor, two of whom shall be from the public at large and shall not have any affiliation with outfitters and three of whom shall be outfitters. Forth initial licensing board, the three licensed outfitters shall be selected from outfitters who had been previously

(e) Submit to the board evidence of minimum liability insurance coverage in the amount of fifty thousand dollars for bodily injury to one person in any single accident and one hundred thousand dollars for bodily injury to all persons in any single accident;

(f) Pass an examination given by the board for licensure pursuant to the rules and regulations of the board. No license shall be issued or renewed after July 1, 1985, unless the applicant therefor has taken and passed the examination, but no further examination under this paragraph (f) shall be required to renew the license of an applicant who has once passed said examination.

12-55.5-106. Powers and duties. (1) The board, which may by written agreement authorize the department of regulatory agencies to act as agent in the board's interests, shall have the following and duties:

(a) To issue, suspend, revoke, or deny outfitters' licenses and to issue a license on probationary status or deny licensure to applicants pending investigation and hearing of any alleged violations of any of the provisions of this article or of any rules or regulations of the board;

(b) To prescribe and enforce rules and regulations to accomplish the purposes as prescribed in section 12-55.5-101 and 12-55.5-105 and for the governing of the business of outfitting in Colorado;

(c) To cooperate with the appropriate state and federal agencies in matters of mutual concern regarding the business of outfitting in Colorado;

(d) To set and collect fees in accordance with section 24-34-105, C.R.S., for examination, reexamination, original licensure, renewal of licensure, reinstatement of licensure, and license records. License fees shall be set in an amount which will generate sufficient revenue to approximate the amount of money appropriated to the board by the general assembly.

(e) To establish and administer examinations for licensure and to set the passing grades therefor.

12-55.5-107. License required. No person shall act in the capacity of an outfitter without first securing a license in accordance with rules and regulations as prescribed by the board, and no person shall continue to act as an outfitter if his license has been suspended or revoked.

12-55.5-108. Penalty. Any person who violates the provisions of section 12-55.5-107, upon his first conviction, commits a class 3 misdemeanor and shall be punished as provided in section 18-1-106, C.R.S., and, upon a second or subsequent conviction thereof, commits a class 1 misdemeanor and shall be punished as provided in section 18-1-106, C.R.S.

12-55.5-109. Enforcement. Every peace officer, as defined in section 18-1-901, C.R.S., shall, upon request from the board, assist the board in the enforcement of the provisions of this article and the rules and regulations prescribed by the board.

12-55.5-110. Grounds for denial, suspension, or revocation of license. (1) The board may deny, suspend, or revoke an outfitter's license issued under its authority pursuant to this article upon proof that the licensee or applicant:

(a) Has violated any of the provisions of this article or any rule or regulation promulgated by the board;

(b) Has not met the requirements of section 12-55.5-105;

(c) Has been convicted of or has entered a plea of nolo contendere or guilty to a felony, but the board shall be governed by the provisions of section 24-5-101, C.R.S., in considering such conviction or plea;

(d) Has made any willful misstatement on his application for licensure;

(e) Advertises by means of a false or deceptive statement;

(f) Has misrepresented his services, facilities, or equipment to a client;

(g) Is addicted to or dependent upon alcohol or any controlled substance, within the meaning of part 3 of article 22 of this title, or is an habitual user of said controlled substance, if the use, addiction, or dependency is a danger to the public.

(2) Any proceeding to deny, suspend, or revoke a license shall be pursuant to sections 24-4-104 and 24-4-105, C.R.S. The board may use a hearing officer, employed by the division of hearing officers in the department of administration, to conduct hearings pursuant to section 24-4-1-5, C.R.S. The hearing officer shall not make a final decision but shall prepare for consideration by the board his recommendations as to the form and substance of the decision to be entered.

12-55.5-111. Repeal of article. This article is repealed, effective July 1, 1988.

RULES AND REGULATIONS
OF THE
OUTFITTERS LICENSING BOARD
Adopted on June 17, 1987
Revised on July 22, 1987
Revised on August 19, 1987

- A. DEFINITIONS.
- B. OUTFITTERS LICENSE REQUIRED.
- C. EXAMINATION FOR OUTFITTERS LICENSE.
- D. ISSUANCE OF OUTFITTERS LICENSE (ORIGINAL).
- E. RENEWAL OF OUTFITTER LICENSE.
- F. OUTFITTER OPERATIONS (LOCATIONS).
- G. OUTFITTERS EMPLOYEES.
- H. OUTFITTER RESPONSIBILITIES.
- I. COMPLAINTS.
- J. DECLARATORY ORDERS.
- K. DENIAL, SUSPENSION OR REVOCATION OF LICENSE.

A. DEFINITIONS

1. "BOARD" means the Colorado Outfitters Licensing Board.
2. "GUIDE" means an Outfitter or an employee of an Outfitter whose duties include management of outfitter operations and/or guiding, leading, or assisting any person to and from a place where such person expects to hunt or take protected fish or wildlife.
3. "ASSISTANT GUIDE" means an employee or an Outfitter whose duties include guiding, leading, or assisting any person to and from a place where such person expects to hunt or take protected fish or wildlife, but that is within the direct supervision of a Guide or Outfitter.
4. "LIVESTOCK" means cattle or sheep.
5. "OUTFITTER" means any person soliciting to provide or providing for compensation, facilities, guide services, or transportation for the primary purpose of hunting, fishing, or taking protected wildlife and fish; but "outfitter" does not include any person whose only service is the providing of motor vehicles, horses, or other equipment for rent.

6. **"PERSON"** means an individual, firm, association, partnership, corporation or other legal entity.
7. **"LICENSE"** is a form issued by that Board pursuant to the provisions of Article 55.5, Title 12, C.R.S., 1973, as amended, and shall be renewable subject to approval by the Board.
8. **"RESIDENT"** means any person who has been domiciled in this state for six months or more immediately preceeding the date of application for license, and who resides in this state with a genuine intent of making this state his place of permanent abode.

B. OUTFITTERS LICENSE REQUIRED

1. An outfitters license shall be required when any person provides or solicits to provide, for compensation, facilities, guide services or transportation for the taking of protected wildlife and fish.
2. No person shall act in the capacity of an Outfitter without first licensing in accordance with the provisions of these Rules. Application forms for licensing shall be furnished by the Board.
3. Livestock operators that provide Outfitter services solely on lands that they own or operate pursuant to their livestock operations shall not be required to be licensed. But those lands that they own or operate shall not include public lands.

C. EXAMINATION FOR OUTFITTERS LICENSE

1. Applicants for outfitters licenses shall be required to pass an examination provided by the Board.
2. Dates of examinations shall be determined by the Board and shall be scheduled throughout the State at locations determined by the Board.
3. Examinations shall only be given to individuals who have submitted a complete application at least ten (10) days prior to the examination date.
4. An examination fee shall accompany the application for examination.
5. The examination shall consist of written questions which may have visual or video aids.

6. Applicants for examination shall specify the date they intend to take the examination on the outfitter license application. The applicant shall be scheduled and notified for examination on that date on a space available basis if the application is complete and received on time, according to Rule C-3. The applicant has the responsibility to confirm with the Board that he or she is scheduled to take the examination on a certain date.
7. Registered applicants who are unable to appear at the examination due to circumstances of an emergency nature shall notify the Board prior to the scheduled examination and the exam fee shall be applied to a subsequent exam. An applicant who has failed to notify the Board and who does not appear for the exam shall forfeit the examination fee and the applicant shall be required to pay the original examination fee for a subsequent examination.
8. Readers shall be allowed to assist applicants at the written examination if the applicant has received prior written approval from the Board.
9. Notes or notebooks may not be used during the examination.
10. Examination papers shall be the property of the Board and shall not be returned to an applicant.
11. Unsuccessful examinees shall re-register and pay the required examination fee before being permitted to retake the examination.
12. A passing grade on the examination, shall be determined by the Board and shall be required of applicants for an outfitters license.

D. ISSUANCE OF OUTFITTERS ORIGINAL LICENSE

1. No outfitters license shall be issued until the completed application verifying a passing exam score achieved within the past ninety (90) days is approved by the Board and the appropriate license fee has been paid. (Effective February 1, 1988)
2. Applicant shall be a resident of the State of Colorado and eighteen (18) years of age or older.
3. Applicant shall hold a valid First Aid Instructors Card or Standard First Aid Card issued by the American Red Cross, or a document evidencing that the applicant is sufficiently trained in first aid and provide a photocopy thereof with the application.

4. Applicant must disclose if he or she has ever been convicted of a felony or entered a plea of nolo contendere or guilty to a felony, and if so, the circumstances regarding the conviction or plea.
5. Applicant shall provide to the Board a photocopy of a bond or letter of verification from the bonding company, verifying proof of a surety bond, or some form of surety bond such as a license and permit bond, in accordance with Section 12-55.5-105(1)(d), C.R.S. (1984 Supp.), in the minimum sum of ten thousand dollars. [SENATE BILL 50 PASSED IN 1987 REPEALED SECTION 12-55.5-105(1)(d). THEREFORE THERE IS NO STATUTORY AUTHORITY FOR THIS RULE AND THE BOARD NO LONGER REQUIRES A BOND].
6. Applicant shall provide photocopy of an insurance policy or letter of verification from the insuring company, verifying proof of a minimum liability insurance coverage in accordance with Section 12-55.5-105(1)(e), C.R.S. (1984 Supp.), in the minimum amounts of fifty thousand dollars for bodily injury to one person in any single accident, and one hundred thousand dollars for bodily injury to all persons in any single accident.
7. The Board shall consider licensing business entities as follows:
 - a) General partnerships - all partners shall comply with the licensing requirements.
 - b) Limited partnerships - all general partners shall comply with licensing requirements; limited partners need not.
 - c) Sole proprietorships (e.g. John Jones d/b/a/ Western Outfitters) - shall be licensed as the individual "doing business as" the company. The license shall only authorize the individual to outfit with the company.
 - d) Organizations - corporations must be domestic (resident) corporations duly registered with the Secretary of State. In addition, a qualified individual of the corporation must be designated and shall comply with the licensing requirements.
8. An individual person licensed in his/her name only shall not be able to outfit under a business name until the licensee has notified the Board of the business name.

9. Any individual licensed as a sole proprietorship listing a d/b/a must list any and all d/b/a's. Should new d/b/a's be formed, the licensee must notify the office within ten (10) days of the action.
10. Licenses are not transferable. If a business is sold or transferred, a new application shall be submitted.
11. All licenses shall be issued within a reasonable period of time upon approval by the Board.
12. All licenses shall be valid from date of issue until the date of expiration as printed on the license.
13. Outfitters shall carry the pocket license with them at all times while providing outfitting services.
14. An outfitter shall notify the Board of a change of mailing address, place of residence, or telephone number within thirty (30) days of such change.
15. An outfitter shall maintain a regular place of business in this state at which mail can be received and provide address of such and/or legal description to the Board.

E. RENEWAL OF OUTFITTER LICENSE

1. Applications for renewal of Outfitter licenses shall be submitted on a form provided by the Board accompanied with the required fee. Those applying for renewal of a license for 1986 shall be required to previously pass the examination administered by the Board.
2. Applications for renewal of licenses shall be subject to approval by the Board.
3. Renewal licenses shall be issued within a reasonable period of time upon approval by the Board.
4. All applications for renewal of a license must be post-marked on or before the expiration date of the present license. Failure to renew by the appropriate date will require the applicant to pay a reinstatement fee as well as the renewal fee.
5. Any applicant who fails to renew or reinstate his license for a thirty (30) day period after the date of expiration of his last license, shall be required to apply as an applicant for an original license and comply with the requirements set

forth in Rule D with the exception of D-1. Any reinstating applicant who has not applied for a two (2) year period after the date of expiration of his last license, shall be required to comply with all requirements set forth in Rule D. (To be effective February 1, 1988.)

F. LOCATION OF OUTFITTER OPERATIONS

1. An Outfitter shall list the Colorado Division of Wildlife Game Management Units in which he intends to conduct outfitter services upon application for license.
2. Upon application for licensing an Outfitter shall specify if he intends to conduct services on public lands, both state and federal, strictly private lands or both.
3. An Outfitter shall obtain prior land use permission to include private, state and federal lands before commencing with Outfitter services.
4. An Outfitter shall not conduct Outfitter services other than in those units of the state for which he is licensed until first notifying the Board in writing 20 days before conducting services.

G. OUTFITTER'S EMPLOYEES

1. No individual employed or contracted by an Outfitter in the capacity of a guide, assistant guide, wrangler, cook or helper shall be required to be licensed.
2. Outfitters shall ensure that individuals employed or contracted in the capacity of a guide, assistant guide, or wrangler shall have a minimum of a valid Standard First Aid Card issued by the American Red Cross or documents to the satisfaction of the Board that these employees or contracted personnel are sufficiently trained in First Aid and in emergency procedures.
3. An Outfitter shall submit the names of all guides to the Board at least ten (10) days prior to the season. Any changes in the status of the aforementioned employees resulting from hiring or terminations shall be reported to the Board at least thirty (30) days after the action.

H. OUTFITTER RESPONSIBILITIES

1. An Outfitter shall comply with all state and federal laws, regulations and rules and shall cooperate fully with private land owners, public land management agencies and state and federal wildlife officials; they shall advise clients, employees and contracted personnel of all applicable

conservation and game laws, rules and regulations and shall not condone or allow their violation.

2. An Outfitter shall at all times provide for the safety of clients and personnel.
 - a) There must be a minimum First Aid kit immediately available on all outfitted services.
 - b) A minimum First Aid kit shall contain at least adhesive bandages, sterile pads, flexible gauze bandages, first aid tape, antiseptic and triangular bandages.
3. An Outfitter shall provide safe, serviceable and sufficient equipment in good working condition, adequate to provide the services conducted and such equipment shall be made available for the Board's inspection upon its request by either the Board or their authorized agent.
4. An Outfitter shall maintain neat, orderly and sanitary facilities where services are provided.
5. An Outfitter shall maintain, when provided, healthy, properly maintained, safe saddle and pack stock.
6. An Outfitter shall fully acquaint his clients with all the conditions of weather, terrain, equipment, travel, housing and saddle and pack stock they may expect to encounter and advise his clients as to personal equipment, clothing and gear they must furnish and the approximate degree of physical endurance, agility strength and skill required to successfully fulfill their portion of the agreement.
7. Rates, accommodations, services and experience of the Outfitter shall be clearly defined to prospective clients. A written contract, letter of agreement or written statement of goods and services to be provided shall be required and shall be available to the Board upon request. Specifically, the contract, agreement or written statement shall include, at least, the dates of services, type of services to be provided, condition of hunting and camping areas, transportation arrangements, costs of the services, hunter/guide ratio, qualifications and experience of guides, packers, and cooks, location where services will be rendered, acknowledgment by the client, settlement provisions if contractual conditions are not met due to conditions beyond the control of the outfitter, and a provision concerning the outfitter's policy regarding cancellation of the contract.
8. An Outfitter shall not misrepresent rates, services, accommodations nor otherwise mislead clients through false or fictitious statement or advertising. The Outfitters

license number shall be printed on all written advertisements and statements as well as on all contracts, agreements, or written statements.

9. An Outfitter shall make no guarantees or assurances, orally or in writing, as to the success of a hunt, fishing bag, or shoot.
10. An Outfitter is responsible for the acts of all employees and contracted personnel when they are acting within the scope of their employment.
11. An Outfitter shall maintain records of services provided and shall provide such records to the Board should it so request. Records shall include names and addresses of the clients and the dates services were provided, and the names and addresses of employees and contracted personnel.
12. Neither an Outfitter nor his employees or contracted personnel shall shoot, kill, or take wildlife while acting in the capacity of a guide. Nothing in these Rules shall be construed to prohibit an Outfitter or his employees or contracted personnel from bearing or carrying firearms or prohibit an Outfitter or his employees or contracted personnel from fishing while acting in the capacity of a fishing guide.
13. No discounts, payment or other consideration may be given to hunters used as references, other than reimbursement for direct expenses such as postage and long distance telephone calls. The outfitter shall maintain records of payments and proof of reference expenses for a minimum of three years from the date of payment. Such records shall be provided to the Board within 30 days of a written request.

I. COMPLAINTS

1. Complaints against licensed or non-licensed outfitters must be made in writing on a form provided by the Board or by written letter and shall be signed and clearly and concisely stated.
2. A written letter shall be provided by the Board to the person(s) filing the complaint within ten (10) days of the Board's action stating the status of the complaint.
3. The Board upon its own motion, may initiate a complaint against any licensee.