

BEFORE THE BOARD OF OUTFITTERS
DEPARTMENT OF LABOR AND INDUSTRY
STATE OF MONTANA

In the matter of the amendment of)	NOTICE OF PUBLIC HEARING ON
ARM 24.171.401 fees, 24.171.408)	PROPOSED AMENDMENT
outfitter records, 24.171.410 outfitter's)	
assistants, 24.171.412 safety and first)	
aid provisions, 24.171.501 application)	
for outfitter license, 24.171.502)	
outfitter qualifications, 24.171.505)	
fishing outfitter operations plan,)	
24.171.509 insurance for outfitters,)	
24.171.513 outfitter acting as guide,)	
24.171.520 operations plans and)	
amendments, 24.171.701 NCHU)	
categories, transfers, and records,)	
24.171.2101 renewals, 24.171.2301)	
unprofessional conduct and)	
misconduct, and 24.171.2305 web site)	
posting of license discipline)	

TO: All Concerned Persons

1. On September 22, 2021, at 10:00 a.m., a public hearing will be held via remote conferencing to consider the proposed amendment of the above-stated rules. There will be no in-person hearing. Interested parties may access the remote conferencing platform in the following ways:

- a. Join Zoom Meeting, <https://mt-gov.zoom.us/j/85336307995>
Meeting ID: 853 3630 7995, Passcode: 214164
-OR-
- b. Dial by telephone, +1 406 444 9999 or +1 646 558 8656
Meeting ID: 853 3630 7995, Passcode: 214164

The hearing will begin with a brief introduction by department staff to explain the use of the videoconference and telephonic platform. All participants will be muted except when it is their time to speak.

2. The Department of Labor and Industry (department) will make reasonable accommodations for persons with disabilities who wish to participate in this public hearing or need an alternative accessible format of this notice. If you require an accommodation, contact the Board of Outfitters no later than 5:00 p.m., on September 15, 2021, to advise us of the nature of the accommodation that you need. Please contact Steve Gallus, 301 South Park Avenue, P.O. Box 200513, Helena, Montana 59620-0513; telephone (406) 841-2370; Montana Relay 1 (800) 253-4091; TDD (406) 444-2978; facsimile (406) 841-2305; or dlibsout@mt.gov (board's e-mail).

3. GENERAL REASON: Chapter 281, Laws of 2021 (Senate Bill 275), an act generally revising the board and outfitting laws and enforcement, was signed by the Governor and became effective on April 22, 2021. The bill amended several statutory provisions, including eliminating certain reporting requirements for licensed outfitters. While acknowledging the board's broad discretion to require that outfitters maintain and report information necessary to protect the public health, safety, and welfare, the board understands the legislature's intent to reduce burdensome and unnecessary record-keeping and submission requirements when the benefit of obtaining the information is outweighed by the time expense of collecting and maintaining that information. The board is amending several rules to implement the reporting changes by clarifying information to be reported in an outfitter's operations plan, information to be annually reported to the board, and information outfitters must continue to maintain in their own records.

Senate Bill 275 also removed a previously recognized distinction between hunting outfitters who provide "big game" services and those providing other hunting services. Accordingly, the board determined it is reasonably necessary to amend certain existing rules to implement the bill's provisions. Where additional specific bases for a proposed action exist, the board will identify those reasons immediately following that rule.

4. The rules proposed to be amended are as follows, stricken matter interlined, new matter underlined:

<u>24.171.401 FEES</u> (1) through (1)(b) remain the same.	
(c) Renewal of outfitter license	
(i) outfitter annual license	210 <u>150</u>
(ii) outfitter inactive status	400 <u>75</u>
(d) through (f) remain the same.	
(g) Initial guide application	150 <u>125</u>
(h) Fee for transfer of NCHU from each outfitter involved in the transfer	50 <u>25</u>
(i) and (j) remain the same.	

AUTH: 37-1-131, 37-1-134, 37-47-201, 37-47-306, MCA

IMP: 37-1-134, 37-1-141, 37-47-304, 37-47-306, 37-47-307, 37-47-308, 37-47-310, MCA

REASON: The board is amending fees to comply with the provisions of 37-1-134, MCA, and ensure the board's fees provide the amount of money usually needed for the board to provide services. In evaluating the board's budget, the department concluded that unless the fees are decreased, the board's cash will exceed 200% of the board's annual appropriation, in violation of 17-2-302 and 17-2-303, MCA. Because the board's current cash balance is approximately 175% of its annual appropriation authority, and based on current trends in applications, renewals, and administrative costs, the board estimates its cash will exceed the statutory amount during the next renewal cycle. As well, due to technology investments and division

reorganization and standardization, the board's administrative costs have decreased in the past three fiscal years and are projected to trend down or remain constant.

The board estimates the fee reductions will affect 732 renewing outfitter licensees, 48 renewing inactive outfitters, 1,968 initial guide applicants, and 48 outfitters transferring NCHU, and reduce annual revenue by approximately \$95,520.

24.171.408 OUTFITTER RECORDS (1) Outfitters shall maintain current, true, complete, and accurate records, ~~submit the records to the board as required by administrative rule, and make the records available at all times at the outfitter's main base camp or business office:~~

(a) through (d) remain the same.

(2) Outfitter records shall ~~be maintained on forms prescribed by the department and shall~~ contain information as required by the board. The information required, in addition to information for operations plans under ARM 24.171.520 and employment records relative to outfitter assistants under ARM 24.171.410, shall include:

(a) through (c) remain the same.

(d) ~~big game animals taken by clients, specifying the species and sex of each big game animal and stating for each big game animal whether it was taken on public or private land within the outfitter's operations plan;~~

(e) ~~districts hunted and water bodies, including section of a river or stream, fished by clients;~~

(f) and (g) remain the same but are renumbered (d) and (e).

(3) ~~Amendments to records shall be made immediately when errors are discovered. Amendments that only supplement records with information that arose after license renewal are always proper. However, cases of amendments to records for any other reason shall be brought to the screening panel for a decision as to whether an investigation should follow.~~

(4) (3) In general, outfitter records, including, but not limited to the operations plans, shall be maintained as confidential information and shall not be released to any person or organization without written permission of the outfitter, subpoena or order of a court, or written request of a state or federal agency for law enforcement purposes. A specific outfitter's number of NCHU is confidential information, but whether an outfitter has NCHU of a particular category is public information. ~~Also, while total acreage of private lands where any outfitter is authorized to operate is a matter of public record, where a particular outfitter is authorized to operate is a confidential matter between the landowner and the outfitter. The Department of Fish, Wildlife and Parks or the Private Land/Public Wildlife Council may use board data to create a map depicting all private land where any outfitter is authorized to operate, excluding private lands that allow unrestricted public access and are managed under cooperative agreements with adjacent public lands. All inquiries for outfitter records shall be reviewed and considered in relation to this rule and the competing interests between the public's right to know and the rights of privacy involved in the particular records requested.~~

AUTH: 37-1-131, 37-47-201, MCA

IMP: 37-1-131, 37-47-201, 37-47-301, 37-47-304, MCA

24.171.410 OUTFITTER'S ASSISTANTS (1) remains the same.

~~(2) Before an outfitter's assistant serves a client, the outfitter shall:~~

~~(a) disclose to each client that the outfitter's assistant is not a licensed guide or outfitter;~~

~~(b) explain the emergency causing the need to employ or contract with the outfitter's assistant; and~~

~~(c) disclose whether the outfitter's assistant has received first aid certification.~~

(3) through (3)(b)(ii) remain the same but are renumbered (2) through (2)(b)(ii).

(iii) a statement indicating whether the outfitter's assistant has applied for a guide license; and

~~(iv) confirmation that the outfitter properly disclosed to the client information required by this rule; and~~

(v) remains the same but is renumbered (iv).

(c) remains the same.

~~(4) Unless otherwise authorized under ARM 24.171.405, regarding booking agents and advertising, an outfitter's assistant may not:~~

~~(a) make agreements with participants concerning monetary consideration of services provided; or~~

~~(b) advertise outfitting services.~~

(5) remains the same but is renumbered (3).

AUTH: 37-1-131, 37-47-201, MCA

IMP: 37-1-131, 37-47-101, 37-47-201, 37-47-301, 37-47-325, 37-47-404, 37-47-405, MCA

REASON: Following the 2015 adoption of this rule, the board received requests from outfitter licensees to remove the provisions for outfitter disclosure of assistants to clients. The board discussed the requests and agrees there is no reasonable way to ensure licensee compliance with the disclosure requirements. The board further concluded that client disclosure requirements are not supported by any data showing improved public health, safety, or welfare, and is removing the requirements at this time.

The board is striking (4) as the booking and advertising provisions are adequately addressed in ARM 24.171.405.

24.171.412 SAFETY AND FIRST AID PROVISIONS (1) Outfitters and guides are required to hold a current basic first aid ~~and~~ certification at all times actively licensed.

(2) remains the same.

(a) The provider must require written ~~and~~ or practical tests and participants are to receive completion certificates.

(b) and (c) remain the same.

~~(3) For purposes of initial licensure, only basic first aid certification that involves the direct, hands-on application of first aid materials and techniques is~~

~~acceptable. An applicant for an outfitter license who was previously licensed as a guide must hold current certification from a hands-on first aid course.~~

(4) through (8) remain the same but are renumbered (3) through (7).

AUTH: 37-47-201, MCA

IMP: 37-47-201, MCA

REASON: Due to the lack of availability of hands-on courses during the COVID-19 pandemic, the board has allowed online certification for initial licensure, until new licensees are able to attend a hands-on course. The board has not seen an increase in allegations of public safety risk following this change and availability of hands-on certification continues to be limited. Additionally, online certification is readily available and includes technical support that addresses concerns of course effectiveness. The board concluded that allowing widely available and quality online first aid courses will promote public safety, while removing an unnecessary barrier to practice entry that outfitters often work around by employing unlicensed outfitter assistants who may not have first aid certification. The board expects this change to elevate public safety and compliance and decrease administrative costs.

24.171.501 APPLICATION FOR OUTFITTER LICENSE (1) through (3) remain the same.

(a) hunting services ~~(big game);~~

~~(b) hunting services (upland game birds, waterfowl, and non big game);~~

(c) remains the same but is renumbered (b).

~~(d) (c) if applicable to the services provided in (1)(a) through (c) (3)(a) and (b),~~ and qualified for, one or more of the following:

(i) through (4) remain the same.

AUTH: 37-1-131, 37-47-201, MCA

IMP: 37-1-131, 37-47-101, 37-47-201, 37-47-301, 37-47-302, 37-47-305, 37-47-307, 37-47-308, MCA

REASON: The board is amending the implementation citations to provide all statutes implemented through the rule.

24.171.502 OUTFITTER QUALIFICATIONS (1) remains the same.

(2) For purposes of this rule, verified experience includes:

~~(a) an affidavit by the outfitter attesting to the guiding experience claimed by the applicant and subject to confirmation by the outfitter client logs;~~

~~(b) client logs submitted by the applicant, signed by the sponsoring outfitter for whom services were provided;~~

~~(c) outfitter log book entries; or~~

~~(d) sources of information with board acceptable guarantees of reliability which may include, but are not limited to, federal land agency records, client affidavits or letters.~~

(a) written affirmation on forms prescribed by the department from a licensed outfitter(s) in this state by whom the applicant was employed or retained, attesting to

guiding experience. The written affirmation must quantify the number of guiding days the applicant earned while employed or retained by that outfitter; or

(b) written affirmation on forms prescribed by the department from outfitter(s) or guides from other states or provinces by whom the applicant was employed, attesting to guiding experience. The written affirmation must quantify the number of guiding days the applicant earned while under employment by that outfitter or guide; or

(c) for applicants whose experience was gained in a state or province that does not license outfitters or guides, sources of information with board-acceptable guarantees of reliability which may include, but are not limited to, federal land agency records, client affidavits or letters or other client data, reports, recaps, or records with dates that confirm the number of guiding days claimed by the applicant.

(3) Three days of experience may be waived by the board for every day of training completed by the applicant at an a department-approved outfitter or guide school approved by the board provided that the training was in the category of licensure being sought (e.g., hunting or fishing). The maximum number of days of experience that may be waived is 30. All experience waivers shall be are contingent upon the applicant completing the board's one-day education program at the time specified by the board. The department shall approve guide schools based on the following minimum criteria:

(a) The school must require written tests and participants must receive completion certificates.

(b) The school must include, at a minimum, instruction specific to adequate exposure to the knowledge needed to become an outfitter including but not limited to:

(i) advertising;

(ii) marketing and public relations;

(iii) maintaining rate and refund schedules;

(iv) client records and all paperwork for board and agency compliance;

(v) guiding techniques;

(vi) setting up of campsites;

(vii) practical woodsmanship;

(viii) knowledge of firearms;

(ix) field preparation of trophies;

(x) knowledge of equipment, terrain (including water bodies), and hazards to competently provide a safe experience for those persons guided;

(xi) board and other agency laws and requirements;

(xii) federal and state fish and game laws and regulations;

(xiii) knowledge of outfitting area;

(xiv) proper handling of all fish and game;

(xv) federal and Montana employment and wage requirements;

(xvi) preservation of ecosystem and maintaining present quality of wildlife and environment; and

(xvii) protection of the health, safety, and welfare of clients, other employees, and the public.

(4) The board may waive up to 50 days of experience for an applicant if the applicant is purchasing an existing outfitter operation, is a family member being

groomed for succession of an existing outfitter operation to take over as outfitter of record, or is a licensed outfitter seeking an additional license endorsement by applying to add new services to the operations plan. An applicant is not qualified for a waiver under this provision unless provided that:

(a) the applicant receives preapproval from the board for a training and instruction plan documenting, on forms prescribed by the department, how and in what capacity the applicant will work with the licensed outfitter ~~from whom the business is obtained~~ who is providing the training;

(b) the applicant;

(i) has entered into a sales agreement with the selling outfitter for the purchase of the operation ~~and the sales agreement provides;~~

(ii) is named by the family in a documented succession plan agreement; or

(iii) is seeking operation plan expansion and has entered into a training and supervision agreement with a licensed outfitter;

(c) the applicant has entered into an agreement with the licensed outfitter that stipulates supervision of the applicant by the ~~selling licensed~~ outfitter during the 12-month period following board approval of the application. The licensed outfitter may assign or hire another licensed outfitter to provide training detailed within the training and supervision agreement;

~~(e)~~ (d) the selling licensed outfitter has a current, approved operations plan on file with the board;

(d) and (e) remain the same but are renumbered (e) and (f).

AUTH: 37-1-131, 37-47-201, MCA

IMP: 37-1-131, 37-47-201, 37-47-302, 37-47-304, 37-47-307, 37-47-308, MCA

REASON: The board is amending this rule to align with directives in Senate Bill 275. The changes will reduce unnecessary administrative requirements consistent with the spirit of that legislation and clarify the rule. The amendments remove obstacles to the transfer of an outfitter's business by allowing a larger class of outfitters to supervise an outfitter applicant seeking a waiver following completion of a board-approved plan. Additionally, because the board will no longer require outfitters to submit guide experience logs, the board determined it is reasonably necessary to further clarify how outfitter applicants will demonstrate guiding experience in Montana or another state or province.

24.171.505 FISHING OUTFITTER OPERATIONS PLAN (1) remains the same.

(2) Surface waters accessible only by private land or access points requiring a permit issued by a state or federal agency(ies) may only be included in a fishing outfitter's proposed or existing operations plan by describing the waters in detail as provided in 37-47-304(2)(c)(ii), MCA. Description ~~and submission~~ of private land access permission and permit(s) issued by the appropriate state or federal agency(ies) shall be governed by ARM 24.171.520.

AUTH: 37-1-131, 37-47-201, MCA

IMP: 37-1-131, 37-47-201, 37-47-304, MCA

24.171.509 INSURANCE FOR OUTFITTERS (1) An outfitter, other than an outfitter licensed on inactive status, shall have liability insurance, as a named insured, in effect at all times during the license year, ~~and shall submit proof of such insurance with an application for renewal.~~ Liability insurance must cover bodily injury to clients at all times services are being provided, including while the outfitter or employed or retained guides are transporting clients. Minimum amounts of liability insurance shall meet or exceed minimum requirements of state or federal regulator agencies for outfitters operating on state or federal lands, but in no case may minimum amounts be less than \$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.

AUTH: 37-47-201, MCA

IMP: 37-47-201, 37-47-301, 37-47-304, MCA

REASON: The board is amending this rule to no longer require that outfitters submit proof of liability insurance at renewal. The board concluded that public health, safety, and welfare will be adequately ensured by confirming compliance via audit functions allowed within its authority.

24.171.513 OUTFITTER ACTING AS GUIDE (1) remains the same.

(a) possesses the qualifications of a guide under these rules; and

~~(b) works for only one outfitter at any given time;~~

~~(c) (b) acts as a guide only within the services and area of operation of this particular outfitter; and~~

~~(d) is reported as a guide in the client logs of the outfitter whose clients are being served.~~

AUTH: 37-1-131, 37-47-201, MCA

IMP: 37-1-131, 37-47-301, 37-47-302, 37-47-303, MCA

REASON: Following requests by licensees, the board is amending the rule to allow outfitters to act as guides for more than one outfitter at a time. After discussion, the board found no public health or safety benefit in this limitation. Implementation citations are being amended to accurately reflect all statutes implemented through the rule.

24.171.520 OPERATIONS PLANS AND AMENDMENTS (1) through (1)(c)(i) remain the same.

~~(ii) all information necessary to fulfill statutory requirements for reporting of private land acreage;~~

~~(iii) total acreage on a per owner basis of the private land where the outfitter is authorized to operate for any duration of time and for any species of game;~~

~~(iv) the legal description of the private acreage where the outfitter is authorized to operate, either by geo-code number assigned by the Montana~~

Department of Revenue, or by aliquot parts. ~~If less than the entire section or parcel is reported, then the boundary shall be described down to the quarter quarter section or the government lot number; and~~

~~(v) with respect to (ii) through (iv), outfitters are not required to report private lands that allow unrestricted public access and are managed under cooperative agreements with adjacent public lands;~~

(ii) a description of private land, by name of ranch and county where located, over which access is allowed;

(iii) an affidavit by the outfitter to the board that the outfitter is in possession of any public land permits or licenses properly executed for federal or state public property where the outfitter is authorized to operate; and

~~(d) (iv) the number of NCHU per category; and~~

~~(e) an affidavit by the outfitter to the board that the outfitter possesses public land permits or licenses properly executed for federal or state public property where the outfitter is authorized to operate.~~

(2) through (5)(b) remain the same.

(c) watercraft used for fishing or hunting; or

~~(d) upland game bird;~~

~~(e) waterfowl; or~~

(f) remains the same but is renumbered (d).

AUTH: 37-1-131, 37-47-201, MCA

IMP: 37-1-131, 37-47-201, 37-47-304, MCA

24.171.701 NCHU CATEGORIES, TRANSFERS, AND RECORDS

(1) NCHU categories are as follows:

(a) Category 2, consisting of all clients served in the pursuit of ~~upland game birds and big game~~ or big game and upland game birds under combination licenses ~~or in the pursuit of big game; and~~

(b) Category 3, consisting of all clients served in the pursuit of upland game birds, ~~water fowl~~ waterfowl, and turkeys.

(2) remains the same.

(3) NCHU owned by a licensee is part of the operations plan and may be transferred only with notice to the board. Transfers between or among licensees are routinely processed by the department ~~unless the department has received a complaint against the licensee who is the transferor in a NCHU transfer request. If the transferor is a respondent to a complaint, the request will not be processed until after the case is resolved. In addition, a A~~ license that has expired may not be part of a NCHU transfer, and any NCHU that is recorded as part of the operations plan of a license that terminates or is revoked ceases to exist upon termination or revocation.

(4) Each outfitter entering into a transfer of NCHU with one or more other outfitters must do so by completing a transfer request form prescribed by the department. ~~Prior to being processed by the department, a NCHU transfer request is not complete or valid for any purpose and may be cancelled by any licensee that is a party to it.~~

(5) remains the same.

(6) NCHU allocated to a deceased outfitter may be transferred only by a successor if an approved successorship has not terminated under ARM 24.171.504. NCHU will expire and shall not be revived if it is not transferred ~~the earlier of the date that before the license or successorship terminates from nonrenewal, or the date that a successorship terminates, or, if no successor has been designated, the date that is one year following the death of the outfitter unless an extension is approved by the board based upon good cause appearing in a written request received by the board within one year.~~ In cases where the outfitter dies and no successor is designated, someone authorized by the estate or the family of the outfitter must submit a NCHU transfer request form to the board within one year following the death of the outfitter. Authorization by the estate is shown by a certified copy of letters of appointment as a personal representative or by any other procedure allowed under Title 72, MCA, for the transfer of intangible personal property.

AUTH: 37-1-131, 37-47-201, MCA
IMP: 37-1-131, 37-47-201, ~~37-47-316~~, MCA

REASON: The board is amending (1) to be consistent with license descriptions in the fish and wildlife statutes of Title 87, MCA. Further amendments are proposed to align with directives in Senate Bill 275, regarding how licensees may transfer their businesses directives.

Implementation citations are being amended to delete a reference to a repealed statute.

24.171.2101 RENEWALS (1) The provisions of ARM 24.101.408 ~~and~~ 24.101.414 apply.

(2) remains the same.

(a) the required renewal fee; and

~~(b) a copy of the licensee's valid and current first aid certification;~~

~~(c) a copy of the licensee's current insurance certificate with the licensee as the named insured;~~

~~(d) complete client report logs; and~~

(e) remains the same but is renumbered (b).

(3) remains the same.

~~(4) Outfitters who provide services during the late hunt seasons may submit amended client logs reflecting services from December 1st through December 31st separately as long as they are received by the board no later than January 31st of the following year.~~

~~(5)~~ (4) License renewal applications for guides shall be made on forms provided by the department and shall be accompanied by:

(a) the required renewal fee; and

~~(b) a copy of the licensee's valid and current first aid certification.~~

AUTH: 37-1-131, 37-47-201, MCA

IMP: 37-1-104, 37-1-141, 37-47-201, 37-47-302, 37-47-304, 37-47-306, 37-47-307, MCA

REASON: The board is amending (1) to strike the reference to a repealed rule.

24.171.2301 UNPROFESSIONAL CONDUCT AND MISCONDUCT

(1) through (1)(j) remain the same.

(k) maintain current, ~~true, complete,~~ and accurate records;

(l) make all client records available ~~at the outfitter's main base camp or business office~~ in accordance with ARM 24.171.408;

(m) through (3)(h) remain the same.

(i) produce their current license, proof of first aid certification, or employment documentation required by ARM 24.171.410 at the request of law enforcement or a representative of the board (electronic proof of license or certification is permitted);

(j) carry the licensee's current license and certifications at all times when providing services (electronic proof of license or certification is permitted);

(k) through (r) remain the same.

AUTH: 37-1-131, 37-1-319, 37-47-201, MCA

IMP: 37-1-312, 37-1-316, 37-1-319, 37-47-201, 37-47-325, 37-47-341,
MCA

24.171.2305 WEB SITE POSTING OF LICENSE DISCIPLINE (1) through

(1)(c) remain the same.

~~(d) incomplete or faulty log book entries;~~

(e) through (i) remain the same but are renumbered (d) through (h).

(2) through (4) remain the same.

AUTH: 37-1-131, 37-47-201, MCA

IMP: 37-1-131, 37-1-311, 37-47-201, MCA

REASON: The board is amending this rule to align with other changes to outfitters' record submission requirements. Implementation citations are being amended to accurately reflect all statutes implemented through the rule.

5. Concerned persons may present their data, views, or arguments either orally or in writing at the hearing. Written data, views, or arguments may also be submitted to the Board of Outfitters, 301 South Park Avenue, P.O. Box 200513, Helena, Montana 59620-0513, by facsimile to (406) 841-2305, or e-mail to dlibsout@mt.gov, and must be received no later than 5:00 p.m., September 24, 2021.

6. An electronic copy of this notice of public hearing is available at www.outfitter.mt.gov (department and board's web site). Although the department strives to keep its web sites accessible at all times, concerned persons should be aware that web sites may be unavailable during some periods, due to system maintenance or technical problems, and that technical difficulties in accessing a web site do not excuse late submission of comments.

7. The board maintains a list of interested persons who wish to receive notices of rulemaking actions proposed by this board. Persons who wish to have their name added to the list shall make a written request that includes the name, e-mail, and mailing address of the person to receive notices and specifies that the person wishes to receive notices regarding all board administrative rulemaking proceedings or other administrative proceedings. The request must indicate whether e-mail or standard mail is preferred. Such written request may be sent or delivered to the Board of Outfitters, 301 South Park Avenue, P.O. Box 200513, Helena, Montana 59620-0513; faxed to the office at (406) 841-2305; e-mailed to dlibsout@mt.gov; or made by completing a request form at any rules hearing held by the agency.

8. The bill sponsor contact requirements of 2-4-302, MCA, apply and have been fulfilled. The primary bill sponsor was contacted on July 26, 2021, by electronic mail and on July 28, 2021, by telephone.

9. Regarding the requirements of 2-4-111, MCA, the board has determined that the amendment of ARM 24.171.401, 24.171.408, 24.171.410, 24.171.412, 24.171.501, 24.171.502, 24.171.505, 24.171.509, 24.171.513, 24.171.520, 24.171.701, 24.171.2101, 24.171.2301, and 24.171.2305 will not significantly and directly impact small businesses.

Documentation of the board's above-stated determination is available upon request to the Board of Outfitters, 301 South Park Avenue, P.O. Box 200513, Helena, Montana 59620-0513; telephone (406) 841-2370; facsimile (406) 841-2305; or to dlibsout@mt.gov.

10. Steve Gallus, Executive Officer, has been designated to preside over and conduct this hearing.

BOARD OF OUTFITTERS
JOHN WAY, CHAIRPERSON

/s/ DARCEE L. MOE
Darcee L. Moe
Rule Reviewer

/s/ LAURIE ESAU
Laurie Esau, Commissioner
DEPARTMENT OF LABOR AND INDUSTRY

Certified to the Secretary of State August 17, 2021.