

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

In the matter of the amendment of)	NOTICE OF AMENDMENT
ARM 24.171.401 fees, 24.171.408)	
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 August 27, 2021, the Board of Outfitters (board) published MAR Notice No. 24-171-41 regarding the public hearing on the proposed amendment of the above-stated rules, at page 1014 of the 2021 Montana Administrative Register, Issue No. 16.

2. On September 22, 2021, a public hearing was held on the proposed amendment of the above-stated rules via the videoconference and telephonic platform. Several comments were received by the September 24, 2021 deadline.

3. The board has thoroughly considered the comments received. A summary of the comments and the board responses are as follows:

COMMENT 1: Numerous commenters supported all proposed rule amendments, and a few provided their understanding of the effect of the amendments.

RESPONSE 1: The board appreciates all comments received and is amending the rules exactly as proposed for the reasons provided in the reasonable necessity statements.

COMMENT 2: Several commenters supported the fee reductions in ARM 24.171.401, but requested the board decrease fees further than originally proposed, including the removal of the fee for NCHU transfers.

RESPONSE 2: The board initially determined to reduce fees after reviewing and accepting a budgetary analysis and supporting information provided by department fiscal staff. Additionally, the board is abating fees for this renewal period, which will further reduce the board's excess cash reserves. The board is concerned that further amendments at this time may delay the timely implementation of the rule changes and is amending the rules exactly as proposed. As is the normal procedure, the department and board will continue to monitor board costs, revenues, and cash balance to determine whether additional fee changes may become necessary.

4. The board has amended 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 exactly as proposed.

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 October 12, 2021.