

**Industrial Accident Board—Workmen's Compensation—  
Transportation Company—Glacier National Park.**

A transportation company operating in Glacier National Park is not entitled to come under the Workmen's Compensation Act.

Jerome G. Locke, Esq.,  
Chairman Industrial Accident Board,  
Helena, Montana.

My dear Mr. Locke:

You have requested my opinion as to whether compensation may be written for a concern whose operations are conducted wholly, or in part, within Glacier National Park and enclose a copy of a letter received by your Board from the United States Fidelity and Guaranty Company in regard to such question.

Former Attorney General J. B. Poindexter rendered an opinion to the effect that the Workmen's Compensation Act has no application to employees or employers who are within Glacier National Park, such opinion being reported in Vol. 6, Op. Atty. Gen., p. 222. With that opinion I fully agree.

However, I believe a distinction should be made between a case where the business is conducted wholly within and all of the employees are employed wholly within the park, and a case where the business is conducted partly within and partly without, and some of the employees are employed within and some without the park, or where some of the employees are employed partly within and partly without the park. In the first case the business being conducted wholly within and all of the employees being employed wholly within the park the compensation law has no application whatever, and the employer and employees cannot come under its provisions. In the second case those employees who are employed outside of the park can unquestionably come within the provisions of the law, while in the third case those employees who are employed part of the time within and part of the time without the park may also be placed under the provisions of the law.

Very truly yours,  
WELLINGTON D. RANKIN,  
Attorney General.