

SENATE BILL NO. 126

INTRODUCED BY E. SMITH, NILSON

BY REQUEST OF THE JOINT SUBCOMMITTEE ON FISH AND GAME

IN THE SENATE

January 12, 1983	Introduced and referred to Committee on Fish, Wildlife and Parks.
February 9, 1983	Committee recommend bill do pass as amended. Report adopted.
February 10, 1983	Bill printed and placed on members' desks.
February 11, 1983	Second reading, do pass.
February 12, 1983	Correctly engrossed.
February 14, 1983	Third reading, passed. Ayes, 41; Noes, 8. Transmitted to House.

IN THE HOUSE

March 1, 1983	Introduced and referred to Committee on Fish and Game.
March 18, 1983	Committee recommend bill be concurred in as amended. Report adopted.
March 22, 1983	Second reading, concurred in.
March 23, 1983	Third reading, concurred in.

IN THE SENATE

March 24, 1983

Returned to Senate with
amendments.

March 30, 1983

Second reading, amendments
concurred in.

March 31, 1983

Third reading, amendments
concurred in.

Sent to enrolling.

Reported correctly enrolled.

1 *Senate* BILL NO. *126*
2 INTRODUCED BY *Smith, Nelson*
3 BY REQUEST OF THE JOINT SUBCOMMITTEE
4 ON FISH AND GAME
5

6 A BILL FOR AN ACT ENTITLED: "AN ACT ALLOWING A PERSON WHO
7 OWNS OR LEASES PROPERTY TO PROVIDE OUTFITTING SERVICES FOR
8 CONSIDERATION ON THAT PROPERTY WITHOUT A LICENSE; AMENDING
9 SECTION 87-4-101, MCA."
10

11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

12 Section 1. Section 87-4-101, MCA, is amended to read:

13 "87-4-101. Definitions. As used in this part, unless
14 the context requires otherwise, the following definitions
15 apply:

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

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

20 (3) "Outfitter" means any person, ~~persons, company, or~~
21 ~~corporation except a person providing services on property~~
22 ~~that he owns or leases,~~ who:

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

25 (b) for consideration provides any saddle or pack

1 animal or personal service for hunting or fishing parties or
2 camping equipment, vehicles, or other conveyances, except
3 boats, for any person to hunt, trap, capture, take, or kill
4 any game and accompanies such a party or person on an
5 expedition for any of these purposes;

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

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

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

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

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

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

-End-

INTRODUCED BILL

Approved by Comm.
on Fish and Game

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3 BY REQUEST OF THE JOINT SUBCOMMITTEE
4 ON FISH AND GAME
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7 OWNS OR LEASES PRIVATE PROPERTY FOR THE PRIMARY PURSUIT OF
8 BONA FIDE AGRICULTURAL INTERESTS TO PROVIDE OUTFITTING
9 SERVICES FOR CONSIDERATION ON THAT PROPERTY WITHOUT A
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16 apply:
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18 January 1 and ending December 31 of the same year.
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20 resident.
21 (3) "Outfitter" means any person, persons, company, or
22 corporation except a person providing services on private
23 property that he owns or leases FOR THE PRIMARY PURSUIT OF
24 BONA FIDE AGRICULTURAL INTERESTS, who:
25 (a) engages in the business of outfitting for hunting

1 or fishing parties, as the term is commonly understood;
2 (b) for consideration provides any saddle or pack
3 animal or personal service for hunting or fishing parties or
4 camping equipment, vehicles, or other conveyance, except
5 boats, for any person to hunt, trap, capture, take, or kill
6 any game and accompanies such a party or person on an
7 expedition for any of these purposes;
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9 floating craft and accompanies any person for the purpose of
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19 transportation, or equipment.
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21 resident Montana hunting or fishing license under 87-2-102.
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16 employee of an outfitter and who furnishes only personal
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18 animals or fish and who does not furnish any facilities,
19 transportation, or equipment.

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

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

-End-

HOUSE FISH AND GAME COMMITTEE AMENDMENTS TO
SENATE BILL 126
March 17, 1983

1) Title, line 7

Strike: "OR LEASESPRIVATE"

Insert: "REAL"

2) Page 1, line 22

Strike: "PRIVATE"

Insert: "REAL"

3) Page 1, line 23

Strike: "or leases"

AND AS AMENDED, BE CONCURRED IN

SENATE BILL NO. 126

INTRODUCED BY F. SMITH, NILSON

BY REQUEST OF THE JOINT SUBCOMMITTEE

ON FISH AND GAME

A BILL FOR AN ACT ENTITLED: "AN ACT ALLOWING A PERSON WHO OWNS OR LEASES ~~PRIVATE~~ REAL PROPERTY FOR THE PRIMARY PURSUIT OF ~~DE BONA FIDE~~ AGRICULTURAL INTERESTS TO PROVIDE OUTFITTING SERVICES FOR CONSIDERATION ON THAT PROPERTY WITHOUT A LICENSE; AMENDING SECTION 87-4-101, MCA."

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(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, person or company or corporation ~~except a person providing services on private real property that he owns or leases for the primary pursuit of bona fide agricultural interests~~, 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.

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