



MONTANA STATE PARKS AND RECREATION BOARD AGENDA ITEM COVER SHEET

Meeting Date: October 15, 2014

Agenda Item: Commercial Use Administrative Rules

Division: Parks

Action Needed: Propose Rule

Time Needed on Agenda for this Presentation: 5 minutes

Background

In August the Parks and Recreation Board in conjunction with the F&W Commission adopted amendments to the Commercial Use Administrative Rules for all FWP land, including state parks, fishing access sites and wildlife management areas. The department is recommending an additional rule amendment to allow a guide to collect fees from clients when conducted permitted use on behalf of a permitted outfitter. This practice is currently prohibited under the commercial use rules.

Public Involvement Process & Results

If the Board and Commission propose amendments to the commercial use administrative rules, FWP would solicit comments. The commission and the board will make a final decision after the public comment process.

Alternatives and Analysis

If the Board and Commission do not propose this amendment guides will not be able to collect fees.

Agency Recommendation & Rationale

FWP recommends that the Board and Commission propose the amendment to the commercial use rules that would allow a guide to collect fees from clients while conducting authorized services on behalf of a permitted outfitter as long as the form of payment names the permitted outfitter as the recipient of the fees. The original rule language prohibiting this practice is intended to help prevent a guide from conducting illegal outfitting. FWP recognizes that allowing guides to collect fees from clients is a convenience to the outfitter who may not physically be in contact with the clients.

Proposed Motion

I move the Board propose the amendments to the commercial use administrative rules as presented by the department.