

OUTFITTERS AND GUIDES LICENSE BOARD
Thurs., March 22 - Fri., March 23 - Sat., March 24, 1962
McCall, Idaho

PRESENT: All Board Members

Minutes of the prior meeting were read, signed as "approved as read" and entered in the Minute Book.

A thorough discussion of the Oregon nonlicensing of nonresidents policy in conjunction with the licensing by Idaho of Oregon residents was made. At a point in the discussion a telephone call was made to Mr. Fred Lock, Stream and Lake Management, Oregon State Fish and Game Commission at 1634 S. W. Alden, Portland, Oregon (Phone 364-2171). Mr. Lock informed us that no provision in Oregon Law allowed the licensing for outfitting and guiding of a non resident. This discussion was brought on by the dissatisfaction of a number of Idaho men desiring use of the Oregon side of the Snake River in their boating operation, and being denied same. They questioned this Board relative to Oregon men being licensed to operate in Idaho. Taylor was directed to get a written opinion from Attorney Hicks as to the Board's authority to deny licenses to residents of Oregon who apply. In the interim, no licenses to Oregon residents are to be issued.

The balance of Thursday evening and Friday morning was spent in preparation for the meeting with the Supervisor, Assistant Supervisor and Senior Ranger of the Payette National Forest set for the afternoon of Friday the 23rd.

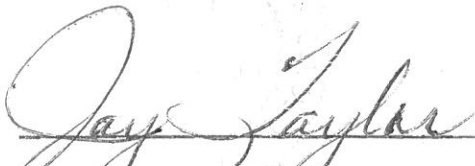
The Board attended a Rotary Luncheon and went immediately into the planned meeting. This meeting was opened by Taylor giving a brief run down of the problem, that is, to find out if the Forest personnel present felt it advisable to have a higher echelon of the Forest Service meet from both Region One and Region Four. If this was thought advisable, then it was the intent of the Board to use this meeting as a "spear head" or "sounding board" for the eventual meeting. The purpose of the eventual meeting was primarily to correlate the duties of the Licensing Board with the rules and regulations of the Forest Service in an endeavor to increase the standards of outfitting and guiding by a more sure and definite overall program with and by the Forest Service.


Mr. Sam Defler, Supervisor of the Payette National Forest, related his opinion of the extreme advisability of such a meeting. The balance of the afternoon was taken up with discussions of various and sundry points to be brought up at this meeting to get the machinery set up for making this meeting a reality.

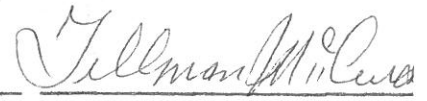
It was decided that present at this proposed meeting should be regional personnel and Forest Supervisors from both regions. Sam Defler agreed to contact his region (#4) requesting that Region One be contacted and get the final word. Tentative time and tentative place were discussed but this was left to Mr. Defler for final promulgation. Mr. Defler agreed to notify Taylor by long-hand note from Ogden the early part of the week of April 2 as to progress made.

After the meeting with the Forest Service, regular business of correspondence, applications, bills and expense sheets was taken care of. Discussion relative to the next meeting of the Board terminated with setting Friday, April 20 and Saturday morning, April 21 in Salmon, Idaho. Travel by automobile was authorized for all three members to start on Thursday, April 19 and return April 21.

The hours consumed in this meeting were from 6:00 p.m. to 10:30 p.m. Thursday, March 22 -- from 8:10 a.m. to 6:15 p.m. (including the Rotary Luncheon) Friday, March 23 and from 7:00 a.m. to 10:30 a.m. Saturday, March 24.


Jay Taylor, Chairman


Al Tice, Member


Tillman McCurdy, Men

FRANCIS H. HICKS
NASH J. BARINAGA

HICKS & BARINAGA

ATTORNEYS AT LAW
430 EAST 2ND SOUTH STREET
MOUNTAIN HOME, IDAHO

TELEPHONE
587-3376

March 28, 1962

Idaho Outfitters and Guides License Board
Capitol Building
Boise, Idaho

Gentlemen:

You have asked my opinion as to whether or not your Board could refuse to license applicants for outfitters or guides licenses who are residents of Oregon. It is my understanding that Oregon refuses to license Idaho residents for such activities.

The intent of our law is that licensees shall be residents of the State of Idaho. There is a provision contained in Section 36-5408 which states:

"Residential requirements herein provided for procuring an outfitters license are hereby waived for the citizens of any State or States to the same extent the home State of the applicant waives such requirements for the citizens of Idaho."

Your attention is called to the fact that this waiver only applies to outfitters, not to guides, and that it only applies in States where resident requirements are waived for Idaho citizens.

I conclude that, in any event, a resident of Oregon who applies for a guides license would not be a qualified applicant. It is further my opinion that a resident of Oregon who applies for an outfitters license is likewise not qualified because of the lack of reciprocity in the Oregon law.

Very truly yours,


Francis H. Hicks

FHH:ct