

1 SENATE BILL NO. 301
2 INTRODUCED BY B. TASH

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4 A BILL FOR AN ACT ENTITLED: "AN ACT IMPLEMENTING A MORATORIUM ON THE ISSUANCE OF NEW
5 FISHING OUTFITTER LICENSES; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE, AN APPLICABILITY
6 DATE, AND A TERMINATION DATE."

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8 WHEREAS, the Fish, Wildlife, and Parks Commission recently adopted tentative rules implementing
9 recreation management plans on the Big Hole and Beaverhead Rivers; and

10 WHEREAS, as part of its action, the Commission placed a temporary moratorium on fishing
11 outfitter use during the summer of 2000 and appointed an advisory committee to make recommendations
12 for final recreation management plans on the Big Hole and Beaverhead Rivers; and

13 WHEREAS, despite the advisory committee's unanimous recommendation that the temporary
14 moratorium be continued, the Commission has publicly stated that the temporary moratorium will be
15 allowed to lapse in May of 2001; and

16 WHEREAS, a moratorium is a critical component for the successful resolution of overcrowding and
17 user conflict on the rivers, for the protection of traditional use patterns in the river corridors, and for
18 maintaining the economic base of the area; and

19 WHEREAS, the Legislature believes that a moratorium on the issuance of new fishing outfitter
20 licenses, in line with the wishes of the advisory committee and other local interests, including ranchers,
21 recreationists, outfitters, and conservation groups, will help resolve the problems on Montana waterways
22 and bring some stability to the situation on the Big Hole and Beaverhead Rivers in particular.

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

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26 NEW SECTION. **Section 1. Moratorium on issuance of fishing outfitter licenses.** The legislature
27 finds it necessary to protect fishing resources and the public health, safety, and welfare. Therefore, the
28 board shall establish and regulate a moratorium on the issuance of outfitter licenses for fishing activities.
29 A fishing outfitter licensed on [the effective date of this act] may receive a renewal license, if qualified,
30 but the total number of fishing outfitter licenses issued after [the effective date of this act] may not exceed

1 the number in existence on [the effective date of this act].

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3 NEW SECTION. **Section 2. Codification instruction.** [Section 1] is intended to be codified as an
4 integral part of Title 37, chapter 47, part 3, and the provisions of Title 37, chapter 47, part 3, apply to
5 [section 1].

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7 NEW SECTION. **Section 3. Effective date.** [This act] is effective on passage and approval.

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9 NEW SECTION. **Section 4. Applicability.** The moratorium on the issuance of fishing outfitter
10 licenses in [section 1] applies only to applications for new licenses filed on or after [the effective date of
11 this act].

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13 NEW SECTION. **Section 5. Termination.** [This act] terminates June 30, 2011.

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