

## SENATE BILL NO. 213

INTRODUCED BY J. COHENOUR

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A BILL FOR AN ACT ENTITLED: "AN ACT CLARIFYING THE DEPOSITS AND USES OF FEES IN THE SMITH RIVER CORRIDOR ENHANCEMENT ACCOUNT; AMENDING SECTION 23-2-409, MCA; AND PROVIDING AN EFFECTIVE DATE."

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

**Section 1.** Section 23-2-409, MCA, is amended to read:

**"23-2-409. Allocation of user fees -- expenditure of Smith River corridor enhancement account.**

(1) All money collected as recreational and commercial user fees for floating and camping on the Smith River waterway pursuant to 23-2-408 must be deposited in the state treasury in ~~an~~ the Smith River corridor enhancement account in the state special revenue fund to the credit of the department.

~~(2) Money deposited in the Smith River corridor enhancement account must be expended to:~~

(2) (a) The following portions of recreational and commercial user fees deposited in the Smith River corridor enhancement account must be used for the purposes in subsection (2)(b):

(i) \$50 of each commercial outfitter client fee;

(ii) all revenue from the sale of super permit lottery chances; and

(iii) 5% of other float fee revenue, except for the nonrefundable permit application fee.

(b) The sum of the funds described in subsection (2)(a) must be expended to:

~~(a)~~(i) protect and enhance the integrity of the natural and scenic beauty of the Smith River waterway and its recreational, fisheries, and wildlife values through the lease or acquisition of property, including lease or acquisition of partial interests in property by the department within the Smith River corridor;

~~(b)~~(ii) pursue projects that serve to protect, enhance, and restore fisheries habitat, streambank stabilization, erosion control, and recreational values within the Smith River corridor, including Smith River tributaries; and

~~(c)~~(iii) pursue projects that serve to maintain and enhance instream flows for recognized recreational and aquatic ecosystem values in the Smith River corridor.

(3) All other funds in the Smith River corridor enhancement account may be used to manage, operate,

1 and maintain the Smith River corridor."

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3 NEW SECTION. **Section 2. Effective date.** [This act] is effective July 1, 2017.

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