

SENATE BILL 186

Introduced by Yellowtail, et al.

1/22	Introduced
1/23	Referred to Fish & Game
1/23	First Reading
2/07	Hearing
2/07	Tabled in Committee

1 *Senate* BILL NO. *186*  
 2 INTRODUCED BY *Yellowtail*

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 4 A BILL FOR AN ACT ENTITLED: "AN ACT LIMITING THE AREA OF  
 5 OPERATION OF A LICENSED FISHING OUTFITTER TO A 100-MILE  
 6 RADIUS FROM HIS PRINCIPAL PLACE OF BUSINESS; AND PROVIDING  
 7 THAT AN OUTFITTER MAY PETITION FOR AN EXCEPTION FROM THE  
 8 LIMIT."

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 10 WHEREAS, some Montana fishing outfitters travel across  
 11 the state outfitting from one fishery to another during one  
 12 season, placing unreasonable fishing pressure on waters  
 13 already congested by crowding during peak seasons and  
 14 threatening Montana's aquatic resources and the quality of  
 15 the public's recreational experience; and

16 WHEREAS, a 1990 study commissioned by the Board of  
 17 Outfitters and conducted by Montana State University  
 18 concluded that a majority of Montana outfitters conduct  
 19 their operations within a 100-mile radius of their actual  
 20 base of operations; and

21 WHEREAS, the Legislature finds it appropriate to limit  
 22 the operations of all fishing outfitters in conformity with  
 23 the findings of the 1990 study.

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

1 NEW SECTION. **Section 1.** Limitation of area of  
 2 operation of fishing outfitter -- exception. (1) The address  
 3 of the principal place of business of a fishing outfitter  
 4 must be designated on each outfitter's license issued under  
 5 37-47-304 that allows for the provision of fishing services,  
 6 and a licensed fishing outfitter may conduct fishing  
 7 outfitting operations only within a 100-mile radius of his  
 8 principal place of business. When two or more fishing  
 9 outfitters operate as a corporation or partnership, the  
 10 limitation imposed under this section applies to the  
 11 corporation or partnership and all outfitters involved in  
 12 the corporation or partnership are limited to a single  
 13 principal place of business for purposes of establishing the  
 14 100-mile limit.

15 (2) The board may, upon petition of a licensed fishing  
 16 outfitter and after giving notice to all fishing outfitters  
 17 licensed to operate in the proposed area and holding a  
 18 hearing to receive comments from affected outfitters, grant  
 19 an exception to the limitation imposed under subsection (1)  
 20 and allow an outfitter to operate outside the 100-mile  
 21 radius. If the petition is granted, the area of extended  
 22 operation must be designated on the license.

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

1 37, chapter 47, part 3, apply to [section 1].

2 NEW SECTION. **Section 3.** Coordination instruction. If  
3 \_\_Bill No.\_\_ [LC 190], continuing the administrative  
4 authority of the board of outfitters, is not passed and  
5 approved, then wherever the word "board" appears in [section  
6 1], that term is changed to "department".

-End-

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SENATE BILL NO. 187  
 INTRODUCED BY Yellowtail

A BILL FOR AN ACT ENTITLED: "AN ACT TO REQUIRE A HIGH SCHOOL DIPLOMA OR A GRADUATE EQUIVALENCY DEGREE TO QUALIFY AS A CANDIDATE FOR SCHOOL DISTRICT TRUSTEE; AMENDING SECTION 20-3-305, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

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

**Section 1.** Section 20-3-305, MCA, is amended to read:

**"20-3-305. Candidate qualification and nomination.** (1) Except as provided in 20-3-338, any a person who is qualified to vote in a district under the provisions of 20-20-301 and who has received a high school diploma or a graduate equivalency degree shall--be is eligible for the office of trustee.

(2) Except as provided in 20-3-338, any five electors qualified under the provisions of 20-20-301 of any district, except a first-class elementary district, may nominate as many trustee candidates as there are trustee positions subject to election at the ensuing election. The name of each person nominated for candidacy ~~shall~~ must be submitted to the clerk of the district not less than 40 days before the regular school election day at which he is to be a candidate. If there are different terms to be filled, the

1 term for which each candidate is nominated ~~shall~~ must also  
 2 be indicated."

3 NEW SECTION. Section 2. Effective date. [This act] is  
 4 effective on passage and approval.

-End-



INTRODUCED BILL  
SB 187