

SENATE JOINT RESOLUTION 2

Introduced by Kennedy

12/23      Introduced  
12/23      Referred to Fish & Game  
1/04      First Reading  
1/21      Hearing  
2/12      Committee Report--Bill Passed as Amended  
2/13      2nd Reading Passed  
2/15      3rd Reading Passed

              Transmitted to House  
2/23      Referred to Fish & Game  
2/23      First Reading  
3/02      Hearing  
3/04      Committee Report--Bill Concurred  
3/08      2nd Reading Concur as Amended  
              Motion Failed  
3/08      Segregated from Committee of the Whole  
              Report and Placed on 2nd Reading  
3/10      2nd Reading Concur Motion Failed

## 1                   SENATE JOINT RESOLUTION NO. 2

2                   INTRODUCED BY KENNEDY

3

4   A JOINT RESOLUTION OF THE SENATE AND THE HOUSE OF  
5   REPRESENTATIVES OF THE STATE OF MONTANA REQUESTING A JOINT  
6   STUDY OF THE OUTFITTING AND GUIDING BUSINESS BY THE  
7   DEPARTMENT OF FISH, WILDLIFE, AND PARKS AND THE DEPARTMENT  
8   OF COMMERCE; REQUIRING THAT STATEWIDE PUBLIC HEARINGS BE  
9   HELD AS PART OF THE STUDY; AND REQUIRING A REPORT OF THE  
10   STUDY RESULTS, AS WELL AS ANY RECOMMENDATIONS FOR PROPOSED  
11   LEGISLATION, TO THE FISH AND GAME COMMITTEES OF THE 54TH  
12   LEGISLATURE.

13

14   WHEREAS, outfitting and guiding is an important industry  
15   in Montana; and

16   WHEREAS, there have been increasing conflicts between  
17   unguided resident hunters and guided hunters; and

18   WHEREAS, the Department of Fish, Wildlife, and Parks has  
19   responsibility to manage game populations and enforce  
20   outfitting and guiding regulations while the Department of  
21   Commerce is responsible for the issuance of licenses for  
22   outfitters and guides; and

23   WHEREAS, the Department of Commerce issues an outfitter  
24   or guide license to anyone who passes the test for  
25   licensure, without regard to the number of current

1    licensees.

2

3    NOW, THEREFORE, BE IT RESOLVED BY THE SENATE AND THE HOUSE  
4    OF REPRESENTATIVES OF THE STATE OF MONTANA:5       That in order to facilitate the planning and  
6       implementation of a viable outfitting and guiding business  
7       while providing for minimum conflict between all resource  
8       users:9       (1) the Department of Fish, Wildlife, and Parks and the  
10      Department of Commerce are directed to undertake and  
11      complete a joint study of the outfitting and guiding  
12      business in Montana, including but not limited to:13       (a) the feasibility of limiting the number of outfitter  
14      and guide licenses that may be available;15       (b) the necessity of making qualifications for an  
16      outfitter or guide license more restrictive; and17       (c) the possibility of limiting the scope of practice  
18      of outfitters and guides through the assignment of specific  
19      geographical areas as a condition of licensure;20       (2) the Departments shall conduct statewide public  
21      hearings as part of the joint study; and22       (3) the Departments shall report the results of the  
23      study, as well as any recommendations for proposed  
24      legislation, to the Fish and Game Committees of the Senate  
25      and the House of Representatives during the first week of

SJR 0002/01

1 the 54th Legislature.

-End-

APPROVED BY COMM.  
ON FISH AND GAME

## SENATE JOINT RESOLUTION NO. 2

INTRODUCED BY KENNEDY

A JOINT RESOLUTION OF THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA REQUESTING A JOINT STUDY OF THE OUTFITTING AND GUIDING BUSINESS BY THE DEPARTMENT OF FISH, WILDLIFE, AND PARKS AND THE DEPARTMENT OF COMMERCE; REQUIRING THAT--STATEWIDE--PUBLIC--HEARINGS--BE HELD--AS--PART--OF--THE-STUDY; AND REQUIRING A REPORT OF THE STUDY RESULTS, AS WELL AS ANY RECOMMENDATIONS FOR PROPOSED LEGISLATION, TO THE FISH AND GAME COMMITTEES OF THE 54TH LEGISLATURE.

WHEREAS, outfitting and guiding is an important industry in Montana; and

WHEREAS,--there--have--been--increasing--conflicts--between unguided--resident--hunters--and--guided--hunters;--and

WHEREAS, the Department of Fish, Wildlife, and Parks has responsibility to manage game WILDLIFE populations, and enforce--outfitting--and--guiding--regulations--while the Department of Commerce is responsible for the issuance of licenses for outfitters and guides;--and,

WHEREAS,--the--Department--of--Commerce--issues--an--outfitter or--guide--license--to--anyone--who--passes--the--test--for licensure;--without--regard--to--the--number--of--current

1 licensees;

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3 NOW, THEREFORE, BE IT RESOLVED BY THE SENATE AND THE HOUSE  
4 OF REPRESENTATIVES OF THE STATE OF MONTANA:5 That in order to facilitate the planning and  
6 implementation of a viable outfitting and guiding business  
7 while providing for minimum conflict between all resource  
8 users:9 (1) the Department of Fish, Wildlife, and Parks and the  
10 Department of Commerce are directed to undertake and  
11 complete a joint study of the outfitting and guiding  
12 business in Montana, including but not limited to:13 (a)--the--feasibility--of--limiting--the--number--of--outfitter  
14 and--guide--licenses--that--may--be--available;15 (b)--the--necessity--of--making--qualifications--for--an  
16 outfitter--or--guide--license--more--restrictive;--and17 (c)--the--possibility--of--limiting--the--scope--of--practice  
18 of--outfitters--and--guides--through--the--assignment--of--specific  
19 geographic--areas--as--a--condition--of--licensure;20 (A) DETERMINING AND, TO THE EXTENT PRACTICAL,  
21 QUANTIFYING THE CONFLICTS BETWEEN OUTFITTED AND NONOUTFITTED  
22 HUNTERS;23 (B) ASSESSING THE TRENDS AND THE AMOUNT OF PRIVATE  
24 LANDS LEASED TO OUTFITTERS AND THE IMPACTS ON ACCESS BY  
25 NONOUTFITTED HUNTERS AND ON GAME MANAGEMENT;

1        (C) DEVELOPING STRATEGIES THAT MINIMIZE LOSS OF  
2        NONOUTFITTED HUNTING ON PUBLIC AND PRIVATE LANDS WHILE  
3        MAINTAINING A VIABLE OUTFITTING INDUSTRY; AND

4        (D) ASSESSING FACTORS AFFECTING THE HUNTING OUTFITTING  
5        BUSINESS AND DEVELOPING STRATEGIES TO REDUCE THE NEGATIVE  
6        IMPACTS OF THE INDUSTRY;

7        (2) the Departments shall conduct--statewide--public  
8        hearings-as-part-of-the-joint-study PROVIDE THE PUBLIC THE  
9        OPPORTUNITY TO COMMENT ON THE RESULTS OF THE STUDY AND ON  
10        ANY RECOMMENDATIONS THAT RESULT FROM THE STUDY; and

11        (3) the Departments shall report the results of the  
12        study, as well as any recommendations for proposed  
13        legislation, to the Fish and Game Committees of the Senate  
14        and the House of Representatives during the first week of  
15        the 54th Legislature.

-End-

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-End-