



# The FOAMLINE

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FISHING OUTFITTERS ASSOCIATION OF MONTANA  
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MARCH 2011

## FOAM ANNUAL MEETING REVIEW

*Streamflow, Bighorn, Madison, ANS, Legislation and More*

FOAM's 31st annual meeting, held at the Gallatin Gateway Inn, featured speakers who covered a variety of topics: the relationship of streamflow and trout recruitment, an update on the Bighorn flow situation, Madison river permit process changes, FOAM member survey results on aquatic nuisance species (ANS) information, and the latest news on 2011 legislation.

Board of Outfitters staff also walked members through a description and explanation of the board's budget process and discussed possible fee changes for 2012.

We wound up with our traditional raffle and SIMMS-sponsored beer fest. In short, good info, good swag, good times. Plan on attending next year!

## MBO PROPOSES 2012 ONE-TIME CHARGE

*Rule Notice Prepared for Small Increase for All Licensees*

The Board of Outfitters voted in March to propose a one-time \$25 charge to outfitters and guides during renewal in 2012 rather than raise license fees permanently to offset rising expenses.

Poorly calculated income projections rendered our last MBO license fee increase insufficient to offset current expenses. And, the MBO may lose more income in the wake of I-161 because the lack of guaranteed licenses and increased tag fees reduce bookings, force outfitters to hire fewer guides and, worse, place their own licenses on inactive status. At the same time, board expenses increase as department costs continue to rise.

At their March meeting, Bureau Chief Jeannie Worsech explained that MBO Executive Director Trudy Phippen has cut board costs to the absolute minimum while Worsech reduced other cost calculations, all resulting in some lowered budgeted expenses.

But, to ensure a 'budget buffer' of retained revenue, some ways to increase revenue must be considered. Worsech recommended a general fee increase for a variety of services and licenses administered by the MBO. After 90 minutes of discussion and a variety of proposals, including staff reductions, legislation to drop paper requirements levied on outfitters, and other cost-saving concepts, the board voted unanimously to propose the one-time charge, estimating this small charge would create an approximate 'budget buffer' of some \$65K, possibly enough, when added to Worsech's projected current budget savings, to hold off permanent fee increases.

The MBO will also review a proposal for a series of small fees tied to boat sticker replacement, operation plan applications and amendments, land-use forms (L-1's), experience waiver re-

views, successorship requests, review of guide school curricula, etc. at their June meeting so the rule-change process can be completed in time to levy new charges before renewal for 2012. FOAM will keep you up to date on all proposals.

## MBO OUTFITTER LIST NOW ONLINE, CD

*Cost-saving Measure Replaces Published Booklet*

The Board of Outfitters is now offering the 2011 Licensed Outfitters listing online at [www.outfitter.mt.gov](http://www.outfitter.mt.gov). As a cost-saving measure, the Board decided at the March 2011 board meeting that, in lieu of the listing being published in a book format and mailed to licensees, the list will be published online and available in CD format. If you have any questions, you may contact the Montana Board of Outfitters at 406-841-2304 or [www.outfitter.mt.gov](http://www.outfitter.mt.gov).

## 2011 LEGISLATIVE ISSUES UPDATE

*FOAM, MBO Bills, Infamous House Bill 309 (Ditch Bill)*

Senate Bill 118 (SB118), FOAM's proposal to add the ability for outfitters to contract for equipment as part of services rendered by independent contractors met no resistance in the Senate, where it passed out of the Senate Fish, Wildlife & Parks committee unanimously and passed the floor vote 50-0. In the House, their FWP committee also voted 20-0 to present the bill on the House floor, where it should pass easily. Next, the bill will be sent on to the Governor for his signature, then be 'enrolled' and immediately become effective law. Thanks to all members who contacted their legislators in support of this small but important change.

Unfortunately, the MBO bill to levy fines for unlicensed practice and recover costs of successful prosecution of same was tabled in the House Business committee early on in the session.

House Bill 309, the 'ditch bill' that attempts to redefine what is a ditch and who may recreate - or work - in such waterways was tabled in the Senate Ag committee on March 22nd.

Amendments to strip all text about ditch definitions and access issues, but correctly insert terms from the so-called 'Galt Decision' regarding activities in the streambed, were briefly debated and moved. However, several senators raised questions about the Senate amended version of the bill facing further amendments in the House to replace the original language, while others predicted the bill would be turned over to a 'conference committee' after any House amendments to work out changes brought from both houses.

With these concerns, committee vice-chair, Sen. Taylor Brown, withdrew his motion to amend the bill and moved to table. The committee voted 8 to 3 in favor of tabling HB309.

Sen. Brown may search for an unused bill draft and attempt to create a bill that simply corrects the Galt Decision language in the Stream Access law, but the House would have to suspend their rules regarding bill deadlines to allow any such legislation to progress. We'll just have to see how this saga ends, though chances for survival are slim.

## UPDATE: MBO OK'S ONLINE FIRST AID

### *Only Three Specific ProFirstAid.com Courses Approved*

After our announcement in the December FOAMLINE that the Board of Outfitter had approved one series of online first aid courses, there was some confusion about exactly which courses were OK for renewal of licensee's FA certification and how the online training aligned with guide licensing procedures. NOTE: First-time licensees still have to take a 'hand's on' course to satisfy requirements.

In response, FOAM worked out changes to the instructions on the guide license form instructions indicating that ProFirstAid.com training was acceptable. A later MBO conference call underscored that only three specific ProFirstAid.com courses were approved: 1) ProFirstAid - \$39.95, 2) ProFirstAid Basic - \$34.95, 3) ProFirstAid Advanced - \$54.95

When you go to the ProFirstAid.com homepage, look for the small square with the red rounded button indicating \$39.95 and 'begin now' - that's the ProFirstAid course. And, if you go to 'TRAINING', look at the left for a list of courses: ProFirstAid,

ProFirstAid Basic, and ProFirstAid Advanced are there, too.

No other online courses have been approved by the MBO, but the board has approved all Armed Forces first aid training courses for both first-time licensing and relicensing.

## BOAT & GEAR INSURANCE COVERAGE

### *Homeowner Policies versus Optional Gear Coverage*

Several recent calls to the Bissell Agency and the FOAM offices show members are concerned about boat and equipment protection for physical damage or loss.

Many think a homeowner's policy covers their boat and equipment while working, but commercial use typically bars gear listed on a homeowner's policy from coverage for damage or loss.

That's why FOAM via the Bissell Agency offers our optional boat and gear policy. The rate is \$14.50 per \$1000 of value, so gear worth \$6K would run \$87 a year for complete coverage, including collision, theft, fire, etc. You'll find the Boat/Gear Coverage questionnaire on the 'APPLICATIONS' page of our website ([www.foam-mt.org](http://www.foam-mt.org)) under Insurance.

Many members have used this optional coverage to make sure they don't lose key assets during the working season. And, because a commercial auto liability policy only covers injury, damage, or loss to others as a result of an accident you caused, an additional boat/gear policy offers complete insurance coverage for your gear when working. Consider your own level of risk, how much your gear is worth, and consider this optional coverage.

Steel-clad Boat Anchors - Stop leaving lead from your anchor in rivers and streams. Try these lead anchors fully encased in steel. Go to [www.GreenAnchors.com](http://www.GreenAnchors.com) or call Mike at 406.821.4758. Montana made!

## CLASSIFIED ADS

- FOAM Annual Meeting Review
- MBO Budget Discussion: One-time Charge
- MBO Outfitter Listings online or via CD
- MBO & Online First Aid Courses
- Legislation Update
- Boat & Gear Insurance Coverage Review

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