

# ***FWP COMMISSION AGENDA ITEM COVER SHEET***

**Meeting Date:** July 10, 2013

**Agenda Item:** Vehicle Killed Wildlife Salvage ARM rules

**Division:** Law Enforcement

**Action Needed:** Approve Proposal for Public Comment

**Time Needed on Agenda for this Presentation:** 15 minutes

## **Background**

HB 247, passed in the 63<sup>rd</sup> Legislative session, provided for individuals to be able to salvage deer, antelope, moose and elk that were killed in vehicular collisions. The bill also provided authority for the commission to create of rules to implement this action.

## **Public Involvement Process & Results**

This action will be to present proposed rules for public comment. A standard public review will occur followed by commission consideration of modifications and then the ultimate adoption of a final set of rules.

## **Alternatives and Analysis**

In order for the legislatively mandated lawful salvage of road-killed deer, elk, moose and antelope, FWP must have a method by which lawful possession is formally permitted as well as the tracking of those animals salvaged. The proposed rules provide a means for HB 247 as well as other current statutes be complied with while ensuring the lawful possession of these animals. Rules must be in place in order to implement the law.

## **Agency Recommendation & Rationale**

FWP recommends that these rules be proposed for public review. The law goes into effect Oct. 1. The complete rulemaking process will take approximately 4 months to complete including public comment, analysis of comments, and Commission consideration and final decision. In that time accommodations need to be made to ensure that documents are prepared and delivered to the field, ensuring that the affected law enforcement agencies are aware of the process to permit the salvaging of animals. Final rules should be in effect mid-November.

## **Proposed Motion**

I move the commission propose administrative rules regarding salvaging deer, elk, moose and antelope that have been killed in vehicular collisions.

## **PROPOSED ARM, Salvage Permits.**

SALVAGE PERMITS (1) A deer, elk, moose, or antelope accidentally killed as a result of a vehicle collision may be salvaged and possessed if a permit is obtained from a peace officer.

(2) Any animal taken for salvage must:

(a) be taken in its entirety;

(b) be presented to a peace officer or department regional office during regular business hours within 24 hours of taking possession of the animal; and

(c) be disposed of in accordance with 75-10-215, MCA and any meat rendered must be utilized for human consumption and may not be used for bait or any other purpose.

(3) The salvage permit will be issued on a form provided by the department.

(4) Big game licenses and tags issued for the purpose of hunting shall not be used for purposes of salvaging animals.