



# MONTANA FISH AND WILDLIFE COMMISSION AGENDA ITEM COVER SHEET

THE **OUTSIDE** IS IN US ALL.

**Meeting Date:** October 17, 2019

**Agenda Item:** Adoption of Administrative Rule pertaining to Two-Way Electronic Communication While Hunting

**Action Needed:** Final

**Time Needed on Agenda for this Presentation:** 10 minutes

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## **Background:**

In order to promote ethical hunting and fair chase, the commission has previously adopted prohibitions on the use of two-way electronic communication while hunting in their annual hunting regulations. The prohibition on two-way electronic communication is not something that is likely to change on a frequent basis and therefore does not need to be reconsidered and re-adopted every year in an annual rule, but rather, would be more appropriately adopted in administrative rule. The proposed language also clarifies when and how this rule applies to hunters.

## **Public Involvement Process & Results:**

The commission held a 28-day written public comment period and a public hearing in Helena. The commission received 3 written comments: 1 in general support, 1 addressing being able to use two-way communication for safety purposes, and 1 questioning if sharing GPS location data with hunting partners for safety purposes would be allowed. No comments were received at the hearing.

## **Alternatives and Analysis:**

The commission could choose not to adopt the administrative rule which would result in the annual rule remaining in effect as is.

## **Agency Recommendation and Rationale:**

The department recommends the commission adopt the rule as proposed as it is more appropriate to have it in an administrative rule than an annual rule. The proposed language also provides clarity to the public of the rule's requirements.

## **Proposed Motion:**

I move the Fish and Wildlife Commission adopt the administrative rule pertaining to two-way electronic communication while hunting as proposed.