



MONTANA FISH AND WILDLIFE COMMISSION FWP PROPOSAL & INFORMATION SHEET

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Meeting Date: June 20, 2024

Agenda Item: Resident SuperTag Administrative Rule

Action Needed: Proposal

Time Needed on Agenda for this Presentation: 5 minutes

Background: At its April 17 meeting, the commission authorized FWP to draft administrative rules related to the Resident SuperTag established by House Bill (HB) 456 that provides each Montana resident purchasing a General Deer or General Elk License one free lottery opportunity for a Shiras moose, mountain sheep, or a mountain goat license, which is determined by the commission. The draft rules would establish eligibility, lottery structure, use of the license, and rotation between the three species.

Public Involvement Process & Results: At its June meeting, the commission will consider public comments prior to deciding whether to initiate rulemaking using the language drafted by the department. If the commission decides to initiate rulemaking, the ensuing process and timeline is defined by the Montana Secretary of State under the Montana Administrative Procedures Act (MAPA) for Administrative Rules of Montana (ARM). This includes the requirement that the department conduct a public hearing and solicit comments on behalf of the commission. The administrative rule notice would be posted on the FWP website and would include information on the timeline and the public hearing date. The department would provide a summary of the public comments (in addition to the comments in their original form) for the commission to consider when making a final decision (expected at its August 2024 meeting).

Alternatives & Analysis:

Alternative A: Allow FWP to file an administrative rule notice with the Secretary of State on behalf of the commission to establish rules to conduct the Resident SuperTag lottery.

Alternative B: Do not allow FWP begin the formal MAPA process for administrative rulemaking.

Agency Recommendation & Rationale: FWP recommends the commission initiate the formal MAPA rulemaking process as proposed in Alternative A to implement HB 456.

Proposed Motion: I move the Fish and Wildlife Commission initiate the formal MAPA rulemaking process prescribed by Secretary of State procedure on the department's draft rule language.