

BEFORE THE DEPARTMENT OF FISH, WILDLIFE AND PARKS
OF THE STATE OF MONTANA

In the matter of the adoption of NEW) NOTICE OF PUBLIC HEARING ON
RULE I pertaining to electronic) PROPOSED ADOPTION
tagging)

TO: All Concerned Persons

1. On August 2, 2024, at 10:00 a.m., the Department of Fish, Wildlife and Parks (department) will hold a public hearing via the ZOOM platform, to consider the proposed adoption of the above-stated rule. There will be no in-person hearing. Interested parties may access the remote conference in the following manner:

Dial by telephone: 1 646 558 8656
Meeting ID: 835 7473 0724
Passcode: 941050

2. The department will make reasonable accommodations for persons with disabilities who wish to participate in this rulemaking process or need an alternative accessible format of this notice. If you require an accommodation, contact the department no later than 5:00 p.m., on July 19, 2024, to advise us of the nature of the accommodation that you need. Please contact Christina Bell, Department of Fish, Wildlife and Parks, P.O. Box 200701, Helena, Montana, 59620-0701; telephone (406) 594-8071; or e-mail cbell@mt.gov.

3. The rule proposed to be adopted provides as follows:

NEW RULE I (ARM12.6.302) REQUIREMENT TO RETAIN AN ELECTRONIC TAG CONFIRMATION NUMBER WHILE TRANSPORTING A HARVESTED ANIMAL (1) When transporting any species for which an electronic tag is issued, the individual transporting the harvested animal's carcass must retain the confirmation number.

(2) The confirmation number must be presented to a department employee upon request.

AUTH: 87-2-119, MCA
IMP: 87-2-119, MCA

REASON: With the increase in electronic tagging, the department has recognized that there are situations where individuals are transporting animals harvested by another individual and lacks information associating the harvested animal to the individual who electronically tagged it. To avoid these situations, the department is proposing this new rule requiring the individual transporting the animal to retain the electronic tag confirmation number. This will ensure that department staff can identify the individual who harvested the animal with an electronic tag and

ensure that the individual who is transporting the harvested animal is doing so legally.

4. Concerned persons may submit their data, views, or arguments orally at the telephonic hearing. Written data, views, or arguments may also be submitted to: Phillip Kilbreath, Montana Fish, Wildlife and Parks, P.O. Box 200701, Helena, Montana, 59620-0701; or e-mail pkilbreath@mt.gov, and must be received no later than August 5, 2024.

5. Christina Bell or another hearing officer appointed by the department has been designated to preside over and conduct the hearing.

6. The department maintains a list of interested persons who wish to receive notice of rulemaking actions proposed by the department or commission. Persons who wish to have their name added to the list shall make a written request that includes the name and mailing address of the person to receive the notice and specifies the subject or subjects about which the person wishes to receive notice. Such written request may be mailed or delivered to: Montana Fish, Wildlife and Parks, Legal Unit, P.O. Box 200701, 1420 East Sixth Avenue, Helena, MT 59620-0701, or may be emailed to <https://public.govdelivery.com/accounts/MTFWP/subscriber/new>.

7. The bill sponsor contact requirements of 2-4-302, MCA, do not apply.

8. With regard to the requirements of 2-4-111, MCA, the department has determined that the adoption of the above-referenced rule will not significantly and directly impact small businesses.

/s/ Alexander Scolavino
Alexander Scolavino
Rule Reviewer

/s/ Dustin Temple
Dustin Temple
Director
Fish, Wildlife and Parks

Certified to the Secretary of State June 25, 2024.