



MONTANA FISH AND WILDLIFE COMMISSION AGENDA ITEM COVER SHEET

THE **OUTSIDE** IS IN US ALL.

Meeting Date: April 1, 2021

Agenda Item: Administrative Rule Identifying States with Chronic Wasting Disease and Defining Lawful Urine Scents

Action Needed: Proposed

Time Needed on Agenda for this Presentation: 10 Minutes

Background: The department presented the commission with draft language for a commission rule to address the use of scents while hunting at the February commission meeting. Discussion at the meeting lead the commission and department to determine that this regulation would be best addressed through an Administrative Rule (ARM). Based on those discussions, the department is now presenting a draft ARM for discussion and consideration that 1) identifies those states and provinces where Chronic Wasting Disease is found in accordance with MCA 87-6-221, 2) defines those urine scents that may be used to mask human scent, and 3) clarifies how scents may be used as bait.

Public Involvement Process and Results: If approved by the commission, the department will file a proposal notice with the Secretary of State. Upon publication of the proposal notice, members of the public will have the opportunity to provide comment in writing or at a scheduled public comment hearing. Notification of the proposed rule will be communicated to the public via the department website, press releases, and written notification to interested persons. After the public comment process, the commission will have the opportunity to review the public comments and make a final decision whether to repeal the rule.

Alternatives and Analysis: Should the commission choose to proceed with rulemaking, regulation regarding the use of scents will be clarified and those individuals that choose to use them when hunting will more clearly understand lawful options. The proposed rulemaking will also provide the department with clearly enforceable regulations.

Proposed Motion:

I move the commission vote to initiate rulemaking to identify those states and provinces where Chronic Wasting Disease is found in accordance with statute and define how urine scents and scents may be used to mask human odor or establish bait, as presented by the department.