



STATE PARKS AND RECREATION BOARD AGENDA ITEM COVER SHEET

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Meeting Date: June 12, 2023

Agenda Item: Smith River bonus point system administrative rulemaking

Action Needed: Approval to initiate rulemaking

Time Needed on Agenda: 5 minutes

Background: FWP is proposing rules to establish a Smith River bonus point system in the Administrative Rules of Montana (ARM) pursuant to House Bill No. 846 enacted by the 2023 Legislature. The bill requires the rules to be adopted for residents and nonresidents. The bill also limits the number of Smith River permits that nonresidents may buy to not more than 10 percent of available permits.

Public Involvement Process: Public comment was taken during the consideration of HB 846 in the 2023 Legislature. The Montana secretary of state defines and implements the ARM development and amendment process, including process steps and timeline. This includes opportunities for public participation. If the State Parks and Recreation Board approves the department's proposal to initiate rulemaking, the next step would be for the board to consider proposed language from the department. This step would occur at the August 2023 board meeting and include opportunity for the public to comment on the proposed language to the board.

Alternatives & Analysis:

Alternative A: Allow FWP to initiate rulemaking to establish a Smith River bonus point system for residents and nonresidents in compliance with HB 846.

Alternative B: Do not allow FWP to initiate rulemaking to establish a Smith River bonus point system for residents and nonresidents and be out of compliance with HB 846.

Agency Recommendation & Rationale: FWP recommends the board allow the department to initiate rulemaking to establish a Smith River bonus point system for residents and nonresidents so the department is in compliance with HB 846.

Proposed Motion: I move the State Parks and Recreation Board approve initiation of rulemaking by FWP to establish a Smith River bonus point system for residents and nonresidents.