



# Montana Legislative Services Division

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## Legal Services Office

TO: Environmental Quality Council  
FROM: Helen Thigpen, Staff Attorney  
DATE: March 2012  
RE: Administrative Rule Review Report for MAR Notice No. 12-375

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Pursuant to 75-1-324 and 5-5-215, MCA, the Environmental Quality Council is responsible for reviewing administrative rules within its jurisdiction. Staff for the Environmental Quality Council has prepared this report for informational purposes only. This report does not represent any action or opinion of the Environmental Quality Council and does not preclude additional action that may be taken by the Environmental Quality Council pursuant to its authority under the Montana Administrative Procedure Act (Title 2, chapter 4, MCA).

**MAR NOTICE NUMBER:** 12-375

**AGENCY/BOARD:** Department of Fish, Wildlife, and Parks

**RULE CLASSIFICATION:** Substantive

**SUBJECT:** Upland game bird release and habitat enhancement programs

**NOTICE DESCRIPTION:** Notice of public hearing on proposed amendment and adoption

**SUMMARY OF RULE(S):** The Department states that the rules regarding the Upland Game Bird Enhancement Program are being amended and adopted in response to a legislative performance audit of the program that was conducted in 2009, which recommended the establishment of a citizens' advisory council (a council was adopted by the Legislature in 2009). The council adopted final recommendations in a 2011 strategic plan. The Department states that the rules are being amended to conform to the council's strategic plan and to "provide greater clarity for program implementation." No additional reasons concerning the necessity of the rules is provided in the notice.

**NOTES/HEARINGS:** Several hearings are scheduled at the Department's regional offices. See MAR Notice No. 12-375 for additional details. Comments are due to the Department by April 13, 2012.