

**POTENTIAL RULEMAKING BY THE DEPARTMENT OF FISH, WILDLIFE AND PARKS (DEPARTMENT) AND THE
FISH, WILDLIFE AND PARKS COMMISSION (COMMISSION) PURSUANT TO MAPA DURING 2007-2009**

Rule	Authority	Purpose	Contact	Division	Comments
Authority to Stock Tiger Muskie Amend 12.7.701	Commission Rule	To add Tiger Muskie to the list of fish species that may be transplanted or introduced by the Department		Fisheries	
Disabled Persons Amend ARM 12.3.106	Department Rule	May need to amend or repeal due to changes made in HB 193, HB 497, and HB 770.		Comm Ed	No rulemaking has been discussed as yet.
Drought Closures of Streams and Rivers New rule	Commission Rule	Delegate authority to the department to close rivers when drought conditions cause water temperatures to rise with low flows that endanger the fisheries.	Mike Mc Lane	Fisheries	Commission has a current policy for this issue which it has used two or three years in a row to enact a drought closure. This would replace the policy with a rule.
Delegation of Fire Closures of Waterways New Rule	Commission Rule	The Commission would delegate its authority to close rivers and lakes to use when they are needed in fire emergencies for aircraft scooping and filling buckets	Bob Lane	Legal	Otherwise a quorum would need to meet for each closure
Exotic Species Amending 12.6.2203, 12.6.2205, 12.6.2210, 12.6.2215.	Commission Rule	Classification Review Advisory Committee (pursuant to § 87-5-708, MCA) continuing with mission to determine status of exotic species and how species should be regulated. Establishes permit fees.	Eileen Ryce	Fisheries/ Enforcement	Rule amendments adopted at 8/2 Commission meeting. On going amendments of these rules expected based on the continuing work of the Classification Review Advisory Committee.

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Game bird Farms New rules 12.6.206, 12.6.215, 12.6.220, 12.6.225, 12.6.230, and 12.6.1610. Amending 12.6.1601, 12.6.1602, 12.6.1603. Transferring 12.6.1606 to 12.6.210.	Department Rule	Clean up of game bird farm and dog field trial rules regulating possession of live captive-reared game birds for dog and raptor training.	Tim Feldner	Enforcement	Rules were adopted effective 7/27/07.
Grizzly & Wolf Possible new rules or amendments		Establish procedures for issuance and conducting auction or lottery for grizzly and wolf licenses when and if the Commission establishes hunting seasons for these two species.			Possible updates to general licensing rules for procedure to issue auction or lottery licenses. May want to include in new license auction ARMs below.
Licensing -General Possible new rules or rule amendments	Department	Updates could need to be made to licensing rules in response to HB 450 (allow partial SSN for license apps.) HB 789(Tribal identification cards), SB 243 (free military license).		Licensing	
License Auction Rules New rules	Commission Rule	Each year the commission has been adopting the same annual rules for the procedures and criteria to issue one sheep, moose, and goat license by auction. This rulemaking would adopt the annual rules as ARM rules.			

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Non-Resident Outfitter Combination License New rule	Commission Rule	Convert the annual rule into an ARM rule. Eliminate necessity to go before commission annually when rules usually do not change from year to year. The annual rule spells out the process for Non-resident Outfitter Combination Licenses	Sue Daly	Licensing	The rulemaking will require making several rules to describe the process and the conditions of the license. The department plans to pursue rulemaking later in the fall of 2007.
Replacement Licenses Amending ARM 12.3.403	Department Rule	Stop misuse of replacement licenses. Raises fee for replacement license to \$5.	Mike Korn	Enforcement	Notice of proposed rule published by Secretary of State on 7/26/07.
Season Extensions Amending 12.9.1105	Commission Rule	Adjust rule to allow for weather conditions that persist over a period of time. Drought conditions skewed short-term game count averages higher so rule to extend hunting seasons can't be triggered although game that still needs to be harvested.	Quentin Kujala	Wildlife	Proposal notice filed 5/29/07. Rule expected to be adopted at 8/30/07 commission meeting. Rule would then be effective 9/21/07.
Super-Tag Amending ARM 12.3.185	Commission Rule	Adding bison, antelope, and mountain to Super-Tag lottery licenses per 2007 legislation.	Hank Worsech	Licensing	Amendments effective 7/6/07
Urban Wildlife New rule	Department Rule	Define elements a city wildlife removal plan must have before FWP will approve. Outline process for FWP review and approval.	Quentin Kujala	Wildlife	Legal and Wildlife completed 1st of rules. Rules originally set for completion in October. Rule is currently delayed as department personnel hash out details and try to come to agreement.