

BEFORE THE FISH AND WILDLIFE COMMISSION
OF THE STATE OF MONTANA

In the matter of the adoption of NEW) NOTICE OF ADOPTION
RULES I through III pertaining to the)
use of deer or elk urine to mask)
human odor)

TO: All Concerned Persons

1. On April 16, 2021, the Fish and Wildlife Commission (commission) published MAR Notice No. 12-545 pertaining to the public hearing on the proposed adoption of the above-stated rules at page 391 of the 2021 Montana Administrative Register, Issue Number 7.

2. The commission has adopted the above-stated rules as proposed: New Rules I (12.6.1015), II (12.6.1016), and III (12.6.1017).

3. The commission has thoroughly considered the comments and testimony received. A summary of the comments received and the commission's responses are as follows:

Comment 1: The commission received three comments in support of the proposed rules.

Response 1: The commission appreciates the participation and support in this rulemaking process.

Comment 2: The commission received two comments opposing the use of natural scents regardless of the source because it would be difficult to detect and enforce misuse in the field.

Response 2: The adopted rule language allows products with the Archery Trade Association (ATA) and the Responsible Hunting Scent Association (RHSA) marking on the product packaging. The ATA/RHSA is clearly displayed on the packaging for the ease of consumers purchasing urine and glandular scents and for enforcement purposes.

Comment 3: The commission received one comment that provided several pages of apparently relevant literature on Chronic Wasting Disease and prions.

Response 3: The commission appreciates the additional information.

/s/ Aimee Hawkaluk
Aimee Hawkaluk
Rule Reviewer

/s/ Lesley Robinson
Lesley Robinson
Chair
Fish and Wildlife Commission

Certified to the Secretary of State July 13, 2021.