



ADMINISTRATIVE RULES OF MONTANA

12.2.302 GUIDELINES FOR DEPARTMENT PROGRAMS

- (1) A continuing departmental program for public participation shall contain mechanisms of activity for each of the elements listed in this rule. The exact mechanism and extent of activity may vary in relation to resources available, public response, and the nature of issues involved.
- (2) Informational materials. Each division and region of the department shall provide continuing policy, program, and technical information at the earliest practicable times and at places easily accessible to interested or affected persons and organizations so that they can make informed and constructive contributions to department decision making. News releases and other publications may be used for this purpose as well as information discussions and meetings with interested citizens' groups. Special efforts shall be made to summarize complex technical materials for public and media use.
- (3) Assistance to public. Each region shall have a procedure for providing technical and informational assistance to public groups for citizen education, committee workshop training, and dissemination of information to concerned groups and individuals. Requests for information shall be handled promptly.
- (4) Consultation. Each region of the department shall have a procedure for early consultation and exchange of views with interested or affected persons and organizations on development or revision of plans, programs, or other significant activity prior to decision making. Advisory groups, ad hoc committees, or workshop meetings may serve this purpose.
- (5) Demonstrations. Field demonstrations and public show-me field trips may be used when there is sufficient public interest concerning wildlife management techniques or problems in wildlife management.
- (6) Notification. Each division for its appropriate area of responsibility shall maintain a current list of interested persons and organizations including any who have requested inclusion on such list for the distribution of information such as that listed in paragraph (2) of this rule. This shall be in addition to the lists now maintained as required by the Montana Administrative Procedure Act. The department shall in addition notify any interested persons of any public hearing or other decision making proceedings prior to decision making and wherever possible shall supplement this notification with informal notice to all interested persons or groups having requested such notice in advance.
- (7) Access to information. The department files, other than personnel files and those files required by law or requirements of personal privacy to remain confidential, are open to public inspection in accordance with already established Fish, Wildlife, and Parks Commission policy. These files are located at the department office in Helena and at the seven regional offices throughout the state.

and listed in ARM 12.1.101(8) . Copies of specific documents are available either free or for a reasonable copying charge plus employee time.

- (8) Enforcement. Each region shall develop internal procedures for receiving and ensuring proper consideration of evidence and information submitted by citizens. Public effort in reporting violations of fish and game laws or regulations shall be encouraged. Alleged violations shall be promptly investigated by the department.
- (9) Rulemaking. In addition to any other requirements, the department shall comply with the requirements of the Montana Administrative Procedure Act.
- (10) Contact person. When the department or commission determines that a proposed decision or action is of significant interest to the public, one person shall be designated as contact person with the public on the proposed decision or action. This person should be a departmental employee familiar with the proposed decision or action. Upon completion of the proposed decision or action, this person shall assess the influence citizen participation had on the decision or action, and report that assessment to the director.
- (11) Other measures. The listing of specific measures in this section shall not preclude additional techniques for obtaining, encouraging, or assisting public participation.

Authorizing statute(s): 2-3-103, MCA

Implementing statute(s): 2-3-103, MCA

History: NEW, Eff. 4/5/76.