
TITLE 312 NATURAL RESOURCES COMMISSION

One Year Requirement ([IC 4-22-2-25](#))

LSA Document #17-436

June 1, 2018

Re: Fish and Wildlife Rules, LSA Document No. 17-436

On behalf of the Natural Resources Commission (the "Commission"), which pursuant to [IC 4-22-2-25](#) adopts administrative rules, other than emergency rules, for the Department of Natural Resources (the "DNR"), I am submitting this notice in compliance with [IC 4-22-2-25](#). The notice is sought because the Commission has determined that the promulgation of the captioned rule may not be completed within one year after publication of the Notice of Intent to Adopt a Rule.

On September 19, 2017, the Commission granted preliminary adoption to rules at [312 IAC 9](#) governing fish and wildlife management. The Commission caused the posting of its Notice of Intent to Adopt a Rule for the captioned rule on September 27, 2017 (DIN: [20170927-IR-312170436NIA](#)). Subsequent to the posting of the Notice of Intent, on May 17, 2018, the Commission granted final adoption to the proposed rule. On May 22, 2018, the proposed rule was submitted to the Office of the Attorney General (the "OAG"), which has 45 days to complete its review of the rule as specified by [IC 4-22-2-32\(g\)](#). In this instance the OAG review is not required to be completed until July 6, 2018. If approved by the OAG, the rule must then be considered by the Governor, who "may take thirty (30) days to approve or disapprove the rule. . ." [IC 4-22-2-34](#).

The Commission meets on a bi-monthly basis with its next regular meeting scheduled to occur on July 17, 2018. While additional Commission action regarding the captioned rule is not presently anticipated, should such action become necessary at its July 17, 2018, meeting, the review periods provided to the OAG and the Governor would restart and could extend to October 1, 2018. This situation, while not expected, could prevent the rule from being completed within one year, as required by [IC 4-22-2-25\(a\)](#).

The Commission will expeditiously complete the rulemaking. The Commission expects the rule will be approved or deemed approved by the Governor or withdrawn under [IC 4-22-2-41](#) by December 31, 2018.

The 250th day after publication of the Notice of Intent to Adopt a Rule is June 4, 2018. This notice is submitted in a timely manner.

Sincerely,

Bryan W. Poynter, Chair
Natural Resources Commission

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