

Dear Senators HEIDER, Brackett, Stennett, and
Representatives GIBBS, Gestrin, Rubel:

The Legislative Services Office, Research and Legislation, has received the enclosed rules of the
Department of Fish and Game:

IDAPA 13.01.04 - Rules Governing Licensing - Proposed Rule (Docket No. 13-0104-2002);

IDAPA 13.01.08 - Rules Governing the Taking of Big Game Animals - Proposed Rule (Docket
No. 13-0108-2001).

Pursuant to Section 67-454, Idaho Code, a meeting on the enclosed rules may be called by the
cochairmen or by two (2) or more members of the subcommittee giving oral or written notice to Research
and Legislation no later than fourteen (14) days after receipt of the rules' analysis from Legislative
Services. The final date to call a meeting on the enclosed rules is no later than 10/02/2020. If a meeting is
called, the subcommittee must hold the meeting within forty-two (42) days of receipt of the rules' analysis
from Legislative Services. The final date to hold a meeting on the enclosed rules is 10/30/2020.

The germane joint subcommittee may request a statement of economic impact with respect to a
proposed rule by notifying Research and Legislation. There is no time limit on requesting this statement,
and it may be requested whether or not a meeting on the proposed rule is called or after a meeting has
been held.

To notify Research and Legislation, call 334-4854, or send a written request to the address on the
memorandum attached below.



Eric Milstead
Director

Legislative Services Office

Idaho State Legislature

Serving Idaho's Citizen Legislature

MEMORANDUM

TO: Rules Review Subcommittee of the Senate Resources & Environment Committee and the House Resources & Conservation Committee

FROM: Deputy Division Manager - Katharine Gerrity

DATE: September 16, 2020

SUBJECT: Department of Fish and Game

IDAPA 13.01.04 - Rules Governing Licensing - Proposed Rule (Docket No. 13-0104-2002)

IDAPA 13.01.08 - Rules Governing the Taking of Big Game Animals - Proposed Rule (Docket No. 13-0108-2001)

1. IDAPA 13.01.04 - Rules Governing Licensing

Summary and Stated Reasons for the Rule

The Department of Fish and Game submits notice of proposed rulemaking at IDAPA 13.01.04 - Rules Governing Licensing. According to the department, the rulemaking would change the application period for Landowner Appreciation Program (LAP) controlled hunt tags to May 15 through June 15 rather than the current June 15 through July 15. The department states that moving the application period to an earlier time in the year would provide additional processing time and help ensure that the department can provide timely draw result notification to landowners, especially for hunts beginning in August.

The department also notes that the rulemaking would provide the commission the authority to limit the number of nonresident Disabled American Veterans (DAV) deer and elk tags. The department states that nonresident DAV deer and elk tags are not subject to statewide quotas like other nonresident deer and elk tags (IDAPA 13.01.04.550), and nonresident DAV tags are significantly lower in price than other nonresident tags. The department goes on to provide that the rulemaking proposes to limit discounted tags for nonresident DAVs to 500 deer and 300 elk tags. According to the department, the rulemaking would not restrict the ability of nonresident DAVs to purchase available nonresident general deer and elk tags, with purchase of a discounted nonresident DAV hunting license. This rulemaking would not restrict the ability of nonresident DAVs to purchase discounted nonresident DAV muzzleloader or archery permits, black bear tags or turkey tags. The department notes that nonresident DAV participation in deer and elk hunts has been growing, and this rulemaking would be in concert with other commission actions to manage nonresident participation in general to address hunter congestion. The department goes on to state that from 2016 to 2019, nonresident DAV elk tag sales increased from 910 to 1,682 and nonresident DAV deer tag sales increased from 1,149 to 1,839. The department adds that nonresident DAV deer and elk tags cost \$22.00 and \$38.00, respectively, and it is reasonable to expect continued growth in at least the near term if tags are not limited.

Kristin Ford, Manager
Research & Legislation

Paul Headlee, Manager
Budget & Policy Analysis

April Renfro, Manager
Legislative Audits

Glenn Harris, Manager
Information Technology

Negotiated Rulemaking / Fiscal Impact

The department states that negotiated rulemaking was conducted. The agency received 482 responses via on-line submissions regarding the proposal to change the application period for Landowner Appreciation Program controlled hunt tags. According to the department, the agency received 1,121 responses via on-line submissions regarding the proposal to provide the commission the authority to limit the number of deer and elk tags available annually to nonresident Disabled American Veterans (DAV) at discounted prices.

The department states that the proposed rule to provide the commission the authority to limit the number of nonresident DAV deer and elk tags would cap potential revenue to the department's Fish and Game fund from sales of these tag types and related nonresident DAV hunting licenses. The department adds that all future year revenue from sales of these tag types would likely be lower than 2019 and 2020 tag sales, unless nonresident DAVs choose to still purchase nonresident DAV hunting licenses and equivalent amount of general tag items that would otherwise be unsold. If nonresident DAVs purchase other nonresident items instead of nonresident DAV tags (once nonresident DAV deer and elk tags sell out), department revenue from license and tag sales to nonresident DAVs could remain neutral or increase.

Statutory Authority

The rulemaking appears to be authorized pursuant to Sections 36-104(b), 36-301, 36-401 through 413, and 36-1101, Idaho Code.

2. IDAPA 13.01.08 - Rules Governing the Taking of Big Game Animals

Summary and Stated Reasons for the Rule

The Department of Fish and Game submits notice of proposed rulemaking at IDAPA 13.01.08 - Rules Governing the Taking of Big Game Animals. According to the department, the proposed rule would establish a one-year wait period for successful antelope controlled hunt applicants to be consistent with one-year wait periods for antlered deer and elk.

Negotiated Rulemaking / Fiscal Impact

Negotiated rulemaking was conducted. According to the department, the agency received 849 responses via on-line submissions during a 21-day comment period.

Statutory Authority

The rulemaking appears to be authorized pursuant to Sections 36-104, 36-105, 36-405, 36-408, 36-409, and 36-1101(a), Idaho Code.

cc: Department of Fish and Game
Paul Kline

***** PLEASE NOTE *****

Per the Idaho Constitution, all administrative rules may be reviewed by the Legislature during the next legislative session. The Legislature has 3 options with this rulemaking docket: **1)** Approve the docket in its entirety; **2)** Reject the docket in its entirety; or **3)** Reject the docket in part.

IDAPA 13 – DEPARTMENT OF FISH AND GAME

13.01.04 – RULES GOVERNING LICENSING

DOCKET NO. 13-0104-2002

NOTICE OF RULEMAKING – PROPOSED RULE

AUTHORITY: In compliance with Section 67-5221, Idaho Code, this agency hereby gives notice of proposed rulemaking. The action is authorized by Sections 36-104(b), 36-301, 36-401 through 413, and 36-1101, Idaho Code.

PUBLIC HEARING SCHEDULE: Public hearing(s) concerning this rulemaking will be scheduled if requested in writing by twenty-five (25) persons, a political subdivision, or an agency, not later than September 16, 2020.

The hearing site(s) will be accessible to persons with disabilities. Requests for accommodation must be made not later than five (5) days prior to the hearing, to the agency address below.

DESCRIPTIVE SUMMARY: The following is a nontechnical explanation of the substance and purpose of the proposed rulemaking:

1. The rulemaking would change the application period for Landowner Appreciation Program (LAP) controlled hunt tags to May 15 through June 15. Applications for LAP controlled hunt tags are currently accepted from June 15 through July 15. Moving the application period to an earlier time in the year would provide additional processing time and help ensure that the Department can provide timely draw result notification to landowners, especially for hunts beginning in August.

2. This rulemaking would provide the Commission the authority to limit the number of nonresident Disabled American Veterans (DAV) deer and elk tags. Nonresident DAV deer and elk tags are not subject to statewide quotas like other nonresident deer and elk tags (IDAPA 13.01.04.550), and nonresident DAV tags are significantly lower in price than other nonresident tags. The rulemaking proposes to limit discounted tags for nonresident DAVs to 500 deer and 300 elk tags. This rulemaking would not restrict the ability of nonresident DAVs to purchase available nonresident general deer and elk tags, with purchase of a discounted nonresident DAV hunting license. This rulemaking would not also restrict the ability of nonresident DAVs to purchase discounted nonresident DAV muzzleloader or archery permits, black bear tags or turkey tags. Nonresident DAV participation in deer and elk hunts has been growing, and this rulemaking would be in concert with other Commission actions to manage nonresident participation in general to address hunter congestion. From 2016 to 2019, nonresident DAV elk tag sales increased from 910 to 1,682 and nonresident DAV deer tag sales increased from 1,149 to 1,839. Nonresident DAV deer and elk tags cost \$22.00 and \$38.00, respectively, and it is reasonable to expect continued growth in at least the near term if tags are not limited.

FEE SUMMARY: The proposed rules have no associated fees.

FISCAL IMPACT: The following is a specific description, if applicable, of any negative fiscal impact on the state general fund greater than ten thousand dollars (\$10,000) during the fiscal year resulting from this rulemaking:

There is no fiscal impact to the state general fund because IDFG licensing fees are managed in a dedicated fund.

1. The proposed rule to change the application period for the Landowner Appreciation Program will have no fiscal impact.

2. The proposed rule to provide the Commission the authority to limit the number of nonresident DAV deer and elk tags would cap potential revenue to the Department's Fish and Game fund from sales of these tag types and related nonresident DAV hunting licenses. All future year revenue from sales of these tag types would likely be lower than 2019 and 2020 tag sales, unless nonresident DAVs choose to still purchase nonresident DAV hunting licenses and equivalent amount of general tag items that would otherwise be unsold. If nonresident DAVs purchase other nonresident items instead of nonresident DAV tags (once nonresident DAV deer and elk tags sell out), Department revenue from license and tag sales to nonresident DAVs could remain neutral or increase.

Descriptive summary of fiscal impact, based on 2019 tag sales:

- Current tag sales framework (unlimited number of nonresident DAV deer and elk tags available):
 - Revenue from 2019 nonresident DAV deer tag sales: 1,839 tags at \$22.00 = \$40,458.
 - Revenue from 2019 nonresident DAV elk tag sales: 1,682 tags at \$38.00 = \$63,916.
 - Total 2019 nonresident DAV deer and elk tag sales = \$104,374.
- Proposed tag sales framework (restricted number of discounted deer and elk tags available):
 - Revenue from sale of 500 nonresident deer tag sales = 500 tags at \$22.00 = \$11,000.
 - Revenue from sale of 300 nonresident elk tag sales = 300 tags at \$38.00 = \$11,400
 - Total revenue = \$22,400
- Potential revenue reduction from above:
 - \$104,374 - \$22,400 = (\$81,974).
- Revenue neutral example of estimated revenue from the sale of 90 deer and 80 elk tags to nonresident DAV's at regular nonresident prices (once the discounted 500 deer and 300 elk tags sell out):
 - 90 deer tags: 90 tags at \$350.00 = \$31,500
 - 80 elk tags: 80 tags at \$650.00 = \$52,000
 - Total Revenue = \$83,500
- Net impact from above example:
 - (\$81,974) + \$83,500 = \$1,526 or roughly revenue neutral.

NEGOTIATED RULEMAKING: Pursuant to Section 67-5220, Idaho Code, a Notice of Intent to Promulgate Rules - Negotiated Rulemaking was published in the June 3, 2020 Idaho Administrative Bulletin, [Vol. 20-6, page 28](#). This Notice identified the opportunity to provide rulemaking input during a 21-day comment period. The agency received 482 responses via on-line submissions regarding the proposal to change the application period for Landowner Appreciation Program controlled hunt tags. The agency received 1,121 responses via on-line submissions regarding the proposal to provide the Commission the authority to limit the number of deer and elk tags made available annually to nonresident Disabled American Veterans (DAV) at discounted prices. The Notice also identified the opportunity for people to express interest in participating in negotiated rulemaking meetings. No commenter stated interest in negotiated rulemaking meetings. Before advancing proposed rules, the agency provided an opportunity for in-person comment at a public hearing held during the quarterly meeting of the Commission in Idaho Falls on July 22, 2020. Pursuant to Section 67-5221, Idaho Code, the agency proceeded with proposed rulemaking.

INCORPORATION BY REFERENCE: Not Applicable

ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS: For assistance on technical questions about the proposed rules, contact Toby Boudreau at (208) 334-2920. Anyone may submit written comments regarding this proposed rulemaking. All written comments must be directed to the undersigned and must be delivered on or before September 23, 2020.

Dated this 31st day of July, 2020.

Paul Kline, Deputy Director
Idaho Department of Fish and Game
600 S. Walnut Street
P.O. Box
25 Boise, ID 83707
Phone: (208)334-3771
Fax: (208)334-4885
Email: rules@idfg.idaho.gov

THE FOLLOWING IS THE PROPOSED TEXT OF DOCKET NO. 13-0104-2002
(Only Those Sections With Amendments Are Shown)

400. LANDOWNER APPRECIATION PROGRAM (LAP).

01. Property and Landowner Registration. (3-20-20)

a. Only landowners who have registered their eligible property with the Department are eligible to apply for LAP controlled hunt tags for deer, elk, pronghorn, and/or black bear. Registered landowners must notify the Department of any changes in property ownership or eligibility. (3-20-20)

b. Registration of an eligible property and landowner applicant will be on a form prescribed by the Department. The landowner must submit the registration form; a copy of the deed(s) and the most recent tax assessment(s) describing the eligible property and showing the name(s) of the owner(s); and a map of the eligible property to the Department regional office. Department personnel will certify the registration and land description and return a copy to the landowner. (3-20-20)

c. If the person registering is an authorized corporate or partnership representative, the registration will include written verification from the board of directors, partnership, or an officer of the corporation, other than himself, verifying that he is authorized to register the property and eligible applicants. (3-20-20)

02. Hunt Areas. LAP controlled hunt tags will be issued only for those controlled hunt areas designated by the Commission as eligible for such tags. (3-20-20)

03. Tag Eligibility. Landowners may receive LAP controlled hunt tags only for the species and sex that use the eligible property and only for LAP hunt areas in which the registered property is located. (3-20-20)

04. Controlled Hunt Applications. Applications for LAP controlled hunt tag(s) will be on a form prescribed by the Department. (3-20-20)

a. Applications from landowners with six hundred forty (640) acres or more will be accepted on or after ~~June~~ **May** 15 of each year. Applications submitted in person or mailed to the Department main office or any Regional Office, postmarked not later than ~~July~~ **June** 15 of each year, will be entered in the random drawing for LAP controlled hunt tags. Each application will be entered in the random drawing one (1) time based upon each six hundred and forty (640) acres of eligible property registered by the landowner that are within the LAP controlled hunt area. ~~For example, if a landowner has six thousand four hundred (6,400) eligible acres, the application will be entered into the random drawing ten (10) times.~~ **(3-20-20)()**

b. One (1) application may be submitted by a landowner with eligible property consisting of six hundred forty (640) acres to four thousand nine hundred ninety-nine (4,999) acres. A second application may be submitted for eligible property consisting of five thousand (5,000) acres or more. (3-20-20)

05. Left Over Tags. Landowners with eligible property consisting of three hundred twenty (320) acres or more may apply for left-over tags following the random draw. Written applications will be accepted beginning on the first business day on or after August 15 of each year on a first-come, first-served basis, provided they are accompanied by the appropriate application fee as specified in Section 36-416, Idaho Code. (3-20-20)

06. Issuance of Controlled Hunt Tag(s). (3-20-20)

a. Once the Commission has determined the number of controlled hunt tags to be issued in any controlled hunt area, an additional ten percent (10%) of the number of controlled hunt tags may be issued as LAP tags. In subsequent years up to twenty-five percent (25%) of the number of controlled hunt tags may be issued only if the hunt is over subscribed by eligible LAP applicants. (3-20-20)

b. Where the number of LAP applicants exceeds the number of LAP controlled hunt tags available in an area, successful applicants will be determined by drawing. All eligible landowners in the drawing will be considered for one (1) tag before any landowner is eligible for a second tag. (3-20-20)

c. No more than two (2) LAP controlled hunt tags may be issued to any eligible landowner. (3-20-20)

d. Only one (1) leftover LAP controlled hunt tag may be issued for eligible property consisting of between three hundred twenty (320) and six hundred thirty-nine (639) acres within a LAP controlled hunt area. Only one (1) LAP controlled hunt tag may be issued for eligible property consisting of between six hundred forty (640) and four thousand nine hundred ninety-nine (4,999) acres within a LAP controlled hunt area. One (1) additional controlled hunt tag may be issued to a landowner or designated agent(s) for eligible property in excess of five thousand (5,000) acres within a LAP controlled hunt area. No landowner or designated agent(s) is eligible to receive more than one (1) LAP controlled hunt tag for one (1) species in a calendar year. (3-20-20)

e. A successful landowner, corporate or partnership representative drawing a LAP controlled hunt tag may designate an eligible individual to whom the controlled hunt tag will be issued. (3-20-20)

07. Sale or Marketing Unlawful. It is unlawful to sell or market LAP controlled hunt tags. In addition to any statutory penalties, a violator of this provision will not be eligible to participate in the LAP program for three (3) years. (3-20-20)

08. Application of Controlled Hunt Restrictions. (3-20-20)

a. The restriction that applying for a moose, bighorn sheep, or mountain goat controlled hunt makes the applicant ineligible to apply for any other controlled hunt does not apply to persons who are otherwise eligible to apply for a LAP controlled hunt tag. (3-20-20)

b. LAP controlled hunts are exempt from limits or quotas on nonresident tags. (3-20-20)

c. LAP controlled hunt tags are exempt from the one (1) year waiting periods for deer, elk and pronghorn controlled hunt applications under IDAPA 13.01.08, "Rules Governing the Taking of Big Game Animals," Section 257. (3-20-20)

09. Special Restrictions. Any person hunting with a LAP controlled hunt tag may hunt only within the boundaries described in the LAP controlled hunt area. Bag and possession limits set forth in IDAPA 13.01.08, "Rules Governing the Taking of Big Game Animals," Section 200, apply to holders of LAP controlled hunt tags. (3-20-20)

(BREAK IN CONTINUITY OF SECTIONS)

550. NONRESIDENT DEER AND ELK TAG QUOTAS.

01. General Hunt Tag Quotas. The following number of general hunt ~~deer tags and elk~~ tags will be set aside annually and reserved for sale to nonresidents: ~~(3-20-20)~~ ()

a. Fourteen thousand (14,000) total deer tags (regular and white-tailed deer tags); (3-20-20)

b. Twelve thousand eight hundred fifteen (12,815) total elk tags (A and B tags); (3-20-20)

c. One thousand five hundred (1,500) white-tailed deer tags, available only upon sell out of deer tags referenced in Subsection 550.01.a. (3-20-20)

02. Disabled American Veteran Hunt Tag Quotas. The following number of disabled American veteran general hunt tags will be set aside annually and reserved for sale to eligible nonresidents. ()

a. Five hundred (500) total disabled American veteran deer tags (regular and white-tailed deer tags); ()

b. Three hundred (300) total disabled American veteran elk tags (A and B tags). ()

023. **Exceptions.** ~~Sales of nonresident general hunt deer and elk tags~~ Tag sales to the following persons will not be counted in the quotas in Section 550 of these rules: ~~(3-20-20)~~()

a. Unqualified Residents: Persons who have moved into Idaho and by notarized affidavit show proof of their intent to become bona fide Idaho residents but are not yet qualified to purchase a resident license. (3-20-20)

b. Designated Buyers of unused nonresident tags to which the quota has already applied: an unused nonresident general hunt deer or elk tag, accompanied by a notarized affidavit stating that the tag buyer has not hunted, may be designated to another nonresident for purchase at the regular tag price, by the original buyer or an outfitter or guide retained by the original buyer, or absent such designation, may be sold by the Department on a first-come, first-serve basis. (3-20-20)

c. Holders of resident lifetime license certificates who are no longer Idaho residents. (3-20-20)

d. Holders of nonresident junior mentored ~~and disabled American veteran~~ tags. ~~(3-20-20)~~()

IDAPA 13 – DEPARTMENT OF FISH AND GAME
13.01.08 – RULES GOVERNING THE TAKING OF BIG GAME ANIMALS
DOCKET NO. 13-0108-2001
NOTICE OF RULEMAKING – PROPOSED RULE

AUTHORITY: In compliance with Section 67-5221, Idaho Code, this agency hereby gives notice of proposed rulemaking. The action is authorized by Sections 36-104, 36-105, 36-405, 36-408, 36-409, and 36-1101(a), Idaho Code.

PUBLIC HEARING SCHEDULE: Public hearing(s) concerning this rulemaking will be scheduled if requested in writing by twenty-five (25) persons, a political subdivision, or an agency, not later than September 16, 2020.

The hearing site(s) will be accessible to persons with disabilities. Requests for accommodation must be made not later than five (5) days prior to the hearing, to the agency address below.

DESCRIPTIVE SUMMARY: The following is a nontechnical explanation of the substance and purpose of the proposed rulemaking:

The proposed rule would establish a one-year wait period for successful antelope controlled hunt applicants to be consistent with one-year wait periods for antlered deer and elk.

FEE SUMMARY: The proposed rule has no associated fees.

FISCAL IMPACT: The following is a specific description, if applicable, of any negative fiscal impact on the state general fund greater than ten thousand dollars (\$10,000) during the fiscal year resulting from this rulemaking: Not applicable.

NEGOTIATED RULEMAKING: Pursuant to Section 67-5220, Idaho Code, a Notice of Intent to Promulgate Rules - Negotiated Rulemaking was published in the June 3, 2020 Idaho Administrative Bulletin, [Vol. 20-6, page 30](#). This Notice identified the opportunity to provide rulemaking input, and the agency received 849 responses via on-line submissions during a 21-day comment period. The agency's Notice also identified the opportunity for people to express interest in participating in negotiated rulemaking meetings. No commenter stated interest in negotiated rulemaking meetings. Before advancing proposed rules, the agency provided an opportunity for in-person comment at a public hearing held during the quarterly meeting of the Commission in Idaho Falls on July 22, 2020. Pursuant to Section 67-5221, Idaho Code, the agency proceeded with proposed rulemaking.

INCORPORATION BY REFERENCE: Not Applicable

ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS: For assistance on technical questions about the proposed rules, contact Toby Boudreau at (208) 334-2920. Anyone may submit written comments regarding this proposed rulemaking. All written comments must be directed to the undersigned and must be delivered on or before September 23, 2020.

Dated this 31st day of July, 2020.

Paul Kline, Deputy Director
Idaho Department of Fish and Game
P.O. Box 25
Boise, ID 83707
Phone: (208)334-3771
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THE FOLLOWING IS THE PROPOSED TEXT OF DOCKET NO. 13-0108-2001
(Only Those Sections With Amendments Are Shown)

257. ELIGIBILITY FOR CONTROLLED HUNT APPLICATION.

A person must possess an Idaho hunting license valid for taking game animals to apply for any controlled hunt for big game species. (3-20-20)

01. Bighorn Sheep. (3-20-20)

a. Any person whose name was drawn on a controlled hunt for any bighorn sheep is not eligible to apply for any bighorn tag for two (2) years. Except that a person may apply for a bighorn tag in the second application period or a leftover bighorn tag the following year. (3-20-20)

b. Any person who has killed a California bighorn ram is not eligible to apply for a California bighorn ram controlled hunt tag; and any person who has killed a Rocky Mountain bighorn ram is not eligible to apply for a Rocky Mountain bighorn ram controlled hunt tag, except any person who has killed a California bighorn ram south of Interstate Highway 84 since 1974 and is otherwise eligible, may apply for a Rocky Mountain bighorn ram tag for any hunt north of Interstate Highway 84; and any person who has killed a Rocky Mountain bighorn ram north of Interstate Highway 84 since 1974 and is otherwise eligible, may apply for a California bighorn ram tag for any hunt south of Interstate Highway 84. (3-20-20)

c. Any person who kills a bighorn ewe is not eligible to apply for another bighorn ewe controlled hunt tag for five (5) years. The harvest of a bighorn ewe does not make the person ineligible to apply for a tag to take a California bighorn ram or a Rocky Mountain bighorn ram. Any person who applies for a bighorn ewe is not eligible to apply for any bighorn ram the same year. (3-20-20)

02. Mountain Goat. (3-20-20)

a. Any person whose name was drawn on a controlled hunt for mountain goat is not eligible to apply for a mountain goat tag for two (2) years. Except that a person may apply for a mountain goat tag in the second application period or a leftover mountain goat tag the following year. (3-20-20)

b. Any person who has killed a mountain goat since 1977 is not eligible to apply for a mountain goat tag. (3-20-20)

03. Moose. (3-20-20)

a. Any person whose name was drawn on a controlled hunt for moose is not eligible to apply for a moose permit for two (2) years. Except that a person may apply for a moose tag in the second application period or a leftover moose tag the following year. (3-20-20)

b. Any person who has killed an antlered moose in Idaho is not eligible to apply for a moose tag for antlered moose, and any person who has killed an antlerless moose in Idaho is not eligible to apply for a tag for antlerless moose except that any person may apply for tags remaining unsold after the controlled hunt draw. (3-20-20)

04. Antlered-Only Deer, Antlered-Only Elk, and Pronghorn. Any person whose name was drawn on a controlled hunt for antlered-only deer, antlered-only elk, or any pronghorn (including either sex, and doe and fawn) is not eligible in the following one (1) year to apply for any other controlled antlered-only deer hunt for one (1) year any controlled hunt for the respective species drawn (antlered-only deer, antlered-only elk, or any pronghorn). ()

i. Exceptions, that a person may drawn in the previous year remains eligible to apply for an

~~antlered-only deer tag~~ controlled hunts in the second application period. controlled hunts with an unlimited number of tags, or Landowner Appreciation Program hunts. ~~or~~ Such person is also eligible to purchase a leftover antlered-only deer tag the following year or Governor's Wildlife Partnership Tag. (3-20-20)(____)

~~05.~~ **Antlered Elk.** ~~Any person whose name was drawn on a controlled antlered-only elk hunt is not eligible to apply for any other controlled antlered-only elk hunt for one (1) year. Except that a person may apply for an antlered-only elk tag in the second application period or a leftover antlered-only elk tag the following year. The one (1) year waiting period does not apply to controlled hunts with an unlimited number of tags, Landowner Appreciation Program tags, or Governor's Wildlife Partnership Tags.~~ (3-20-20)

065. **Grizzly Bear.** No person who has killed a grizzly bear in Idaho may apply for a grizzly bear tag. (3-20-20)

076. **Black Bear.** Any nonresident applying for a controlled black bear hunt who wishes to use hounds must separately apply for a Hound Hunter Permit, subject to applicable limitations of IDAPA 13.01.15.200.04, "Rules Governing the Use of Dogs." (3-20-20)

087. **Landowner Permission Hunts.** Any person applying for a landowner permission hunt must have a permission slip including the name, address, and signature of a landowner who owns more than one hundred fifty-nine (159) acres in the hunt area. (3-20-20)

098. **Youth Only Hunts.** Youth-only controlled hunt application eligibility is limited to persons nine (9) to seventeen (17) years of age, provided they will be ten (10) to seventeen (17) years of age during the hunt for which they apply. A nine (9) year old cannot participate in the hunt until turning age ten (10). A person who turns eighteen (18) years of age during the hunt may continue to participate through the end of the youth-only controlled hunt. A person sixty-five (65) years of age or older with a senior or disabled combination or hunting license may apply during a second application period for youth-only controlled hunts or purchase leftover youth-only controlled hunt tags on a first come, first served basis. (3-20-20)

~~102.~~ **Outfitter Allocated Hunts.** Any person must have a written agreement with an outfitter to submit an application for an outfitter allocated controlled hunt. (3-20-20)

110. **Multiple Applications.** (3-20-20)

a. Any person applying for a bighorn sheep, mountain goat, grizzly bear, or moose controlled hunt is not eligible to apply for any other controlled hunt in the same year, except Unlimited Controlled Hunts, a controlled black bear hunt, a controlled gray wolf hunt, or a designated depredation or extra tag hunt for deer, elk or pronghorn. In addition, unsuccessful applicants for bighorn sheep, mountain goat or moose controlled hunts are eligible to participate in the second application period for deer, elk, and pronghorn and the first-come, first-served deer, elk, and pronghorn controlled hunt permit sales. (3-20-20)

b. Any person may apply for both a controlled hunt tag and a controlled hunt extra tag for the same big game species. (3-20-20)