

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 461

BY RESOURCES AND CONSERVATION COMMITTEE

AN ACT

RELATING TO FISH AND GAME; AMENDING SECTION 36-408, IDAHO CODE, TO PROVIDE THAT QUALIFIED ORGANIZATIONS THAT CERTIFY DISABLED MILITARY VETERANS ELIGIBLE IN REGARD TO ISSUANCE OF FREE BIG GAME PERMITS OR TAGS MAY INCLUDE NONPROFIT ORGANIZATIONS THAT ARE QUALIFIED UNDER SECTION 501(c)(19) OF THE INTERNAL REVENUE CODE.

Be It Enacted by the Legislature of the State of Idaho:

SECTION 1. That Section 36-408, Idaho Code, be, and the same is hereby amended to read as follows:

36-408. COMMISSION'S AUTHORITY -- TAGS -- PERMITS -- NONRESIDENTS LIMITED -- OUTFITTERS SET-ASIDE. (1) Tags and Permits -- Method of Use. The commission is hereby authorized to prescribe the number and kind of wildlife that may be taken under authority of the several types of tags and permits provided for in this title, and the manner in which said tags and permits shall be used and validated.

(2) Limit -- Licenses, Tags or Permits -- Controlled Hunts. The commission is hereby authorized to establish a limit annually as to the number of each kind and class of licenses, tags, or permits to be sold or issued and is further authorized to limit the number or prohibit entirely, the participation by nonresidents in controlled hunts.

(3) Outfitters Set-aside. When the commission establishes a limit as to the number of nonresident deer tags and nonresident elk tags, it shall set aside annually a maximum of twenty-five percent (25%) of the nonresident deer tag and nonresident elk tag limit. The set-aside tags shall be sold pursuant to commission rule, only to persons that have entered into an agreement for that year to utilize the services of an outfitter licensed pursuant to chapter 21, title 36, Idaho Code.

In order for a person to purchase any set-aside nonresident deer tag or nonresident elk tag, that person's outfitter must submit an application with the proper fees as required by the director. If any nonresident deer tags or nonresident elk tags set aside pursuant to this subsection are unsold by July 1 of the year in which they were set aside, they may be sold by the department to the general public who are nonresidents. The commission may promulgate all necessary rules to implement the provisions of this subsection.

(4) Deer and Elk Tag Allocation. If the commission limits the number of deer or elk tags available for use in any game management area, unit or zone, the commission may allocate by rule a number of deer or elk tags for use by hunters that have entered into an agreement for that year to utilize the services of an outfitter licensed pursuant to chapter 21, title 36, Idaho Code.

(5) Special Game Tags. The commission is hereby authorized to issue two (2) special bighorn sheep tags per year.

1 (a) Auction bighorn sheep tag. One (1) special bighorn sheep tag shall  
2 be auctioned off by an incorporated nonprofit organization dedicated  
3 to wildlife conservation, selected by the commission. The tag shall  
4 be issued by the department of fish and game to the highest eligible  
5 bidder. No more than five percent (5%) of all proceeds for the tag may  
6 be retained by the organization. The tag to be issued pursuant to this  
7 subsection shall be taken from the nonresident bighorn sheep tag quota.  
8 The net proceeds shall be forwarded to the director for deposit in the  
9 fish and game expendable trust account and shall be used for bighorn  
10 sheep research and management purposes. Moneys raised pursuant to this  
11 subsection may not be used to transplant additional bighorn sheep into  
12 that portion of southwest Idaho south of the Snake River and west of U.S.  
13 highway no. 93, nor for litigation or environmental impact statements  
14 involving bighorn sheep. No transplants of bighorn sheep accomplished  
15 with moneys raised pursuant to this subsection shall occur in any area  
16 until hearings are conducted in the area.

17 (b) Lottery bighorn sheep tag. The commission is also authorized to is-  
18 sue one (1) special bighorn sheep tag which will be disposed of by lot-  
19 tery. The lottery permit can be marketed by the department of fish and  
20 game or a nonprofit organization dedicated to wildlife conservation se-  
21 lected by the commission. The tag will be issued by the department of  
22 fish and game to an eligible person drawn from the lottery provided in  
23 this subsection. No more than twenty-five percent (25%) of gross rev-  
24 enue can be retained for administrative costs by the organization. All  
25 net proceeds for the tag disposed of by lottery pursuant to this sub-  
26 section shall be remitted to the department and deposited in the fish  
27 and game expendable trust account. Moneys in the account from the lot-  
28 tery bighorn sheep tag shall be utilized by the department in solving  
29 problems between bighorn sheep and domestic sheep, solving problems be-  
30 tween wildlife and domestic animals or improving relationships between  
31 sportsmen and private landowners.

32 (6) Issuance of free permit or tag to minor children with life-threat-  
33 ening medical conditions. Notwithstanding any other provision of law, the  
34 commission may issue free big game permits or tags to minor children who have  
35 life-threatening medical conditions that have been certified eligible by  
36 a qualified organization. The commission may prescribe by rule the manner  
37 and conditions of issuing and using the permits or tags authorized under  
38 this subsection (6). For purposes of this subsection (6) a "qualified or-  
39 ganization" means a nonprofit organization that is qualified under section  
40 501(c)(3) of the Internal Revenue Code and that affords opportunities and  
41 experiences to minor children with life-threatening medical conditions.

42 (7) Issuance of free permit or tag to military veterans with disabili-  
43 ties. Notwithstanding any other provision of law, the commission may issue  
44 free big game permits or tags to disabled military veterans who have been  
45 certified eligible by a qualified organization. The commission may pre-  
46 scribe by rule the manner and conditions of issuing and using the permits  
47 or tags authorized under this subsection (7). For purposes of this sub-  
48 section (7), a "qualified organization" means a governmental agency that  
49 assists veterans or a nonprofit organization that is qualified under section

1    501(c)(3) or section 501(c)(19), of the Internal Revenue Code and that af-  
2    fords opportunities, experiences and assistance to disabled veterans.

3        (8) Special Wolf Tags. The commission is hereby authorized to issue up  
4    to ten (10) special auction or lottery tags for hunting wolves. Special wolf  
5    tags will be auctioned off or made available through lottery by incorporated  
6    nonprofit organizations dedicated to wildlife conservation and selected by  
7    the director. No more than five percent (5%) of all proceeds for each tag  
8    may be retained by the nonprofit organization for administrative costs in-  
9    volved. Each wolf tag shall be issued by the department of fish and game and  
10   awarded to the highest eligible bidder or winner of a lottery. Each tag will  
11   be good for the harvest of one (1) wolf pursuant to commission rule. The pro-  
12   ceeds from each tag will be sent to the director to be placed in the depart-  
13   ment general license fund.