

S1226 Testimony by Burk Mantel

S1226 is a very simple bill. It adjusts the civil penalties for the illegal taking of wildlife that have not been adjusted since 1999. All wildlife in the great state of Idaho is owned by the state and its citizens. When a person is convicted of taking any of that wildlife illegally they can be subject to a criminal penalty and also assessed a civil penalty to reimburse the state for the value of the property that was taken.

In lines 16 thru 22 you'll see the changes we propose based on a formula I will explain in a minute. You have in front of you a spreadsheet that shows the present and proposed civil penalties and it's probably easier to follow on that spreadsheet than the bill. The spreadsheet also shows the civil penalties in our adjoining states.

The formula we used is based on inflation which is 42.45 percent from 1999 to the end of 2015. You have another sheet that shows that and, also, inflation projected ahead at 3% per year, the generally accepted estimate. You'll see that at that rate, in 5 years inflation will be at 70% since 1999. So we used 70% for our adjustment. Right now we're substantially behind the inflation rate--- for the next 5 years we'd be a little

ahead and 10 years from now we'll be behind again by 25 or 30% percent. At that time we hope someone else will do the adjusting or maybe it will be a housekeeping bill for the Fish and Game Dept.

Our primary reason for this bill is to enhance the deterrent to poaching and we have plans to work with the Citizens Against Poaching board to help put that into effect.

Secondarily, no business would go 16 years without adjusting prices and we believe Idaho shouldn't go 16 years without adjusting its civil penalties. This bill is overdue. Even using our formula you can see on the spreadsheet that Idaho civil penalties are usually less than our neighboring states and I think your constituents would agree that our deer and elk are worth just as much as the deer and elk in our neighboring states.

There are others who will testify on some of the things I've touched on so I'll conclude by asking you to move this bill forward with a due pass recommendation and I'll try to answer any questions you have. Thank you for listening.

Burk Mantel

Adjoining States Civil Penalty Schedules - JC Feb. 28, 2016

| Wildlife in General | Present Penalty | Idaho S1226 Proposal | Montana MCA 87-6-906, 907 | Washington RCW 77.15.420 | Utah UC 23-20-45 | Nevada N.R.S. 501.3855 | Oregon ORS 496.6705 | Wyoming - Note 2. WyoStat 623-3-102d |
|--------------------------------|-----------------|----------------------|---------------------------|--------------------------|------------------|------------------------|----------------------|--------------------------------------|
| Elk | \$750 | \$1,000 | \$1,000 | \$2,000 | \$750 | \$ 250- 5,000 | \$1,500 | \$ 5,000 - 10,000 |
| Caribou | \$1,500 | \$1,000 | \$1,000 | \$12,000 | | | | |
| Bighorn | \$1,500 | \$2,600 | \$2,000 | \$ | \$1,000 | \$ 250- 5,000 | \$10,000 | \$ 5,000 - 10,000 |
| Mtn Goat | \$1,500 | | \$1,000 | \$4,000 | \$1,000 | \$ 3,000 - 5,000 | \$10,000 | \$ 5,000 - 10,000 |
| Moose | \$1,500 | | \$1,000 | \$4,000 | \$1,000 | \$ 250- 5,000 | \$10,000 | \$ 5,000 - 10,000 |
| Other Big Game | \$400 | \$700 | \$500 | \$4,000 | \$400 | \$ 250- 5,000 | \$1,000 | \$ |
| Turkey | \$250 | | \$25 | \$ | \$100 | | \$100 | \$ |
| Swan | \$250 | | \$300 | \$ Note 1 | \$100 | \$ 250- 5,000 | | \$ |
| Sturgeon | \$250 | | \$300 | \$ | | | \$ 250 - 1,000 | \$ |
| Bull Trout | \$150 | | \$500 | \$ | | | \$250 | \$ |
| Salmon, Steelhead | \$150 | | \$ | \$ | | | | \$ |
| Other bird, fish or furbearer | \$50 | | \$ | \$ | 100 / 35 / 25 | \$ 250- 5,000 | \$100 | \$ |
| | | | | | | | \$700 bobcat, fisher | |
| Trophy Animal Schedules | | | | | | | | |
| Mule Deer | \$2,000 | | \$8,000 | \$6,000 | \$8,000 | \$ 5,000 - 30,000 | \$7,500 | \$ 5,000 - 10,000 |
| White tail deer | \$2,000 | | \$8,000 | \$6,000 | \$8,000 | | \$7,500 | \$ 5,000 - 10,000 |
| Elk | \$5,000 | | \$8,000 | \$6,000 | \$8,000 | \$ 5,000 - 30,000 | \$15,000 | \$ 5,000 - 10,000 |
| Bighorn Sheep | \$10,000 | | \$30,000 | \$12,000 | \$30,000 | \$ 5,000 - 30,000 | \$25,000 | \$ 5,000 - 10,000 |
| Moose | \$10,000 | | \$6,000 | \$4,000 | \$6,000 | | \$25,000 | \$ 5,000 - 10,000 |
| Mtn Goat | \$10,000 | | \$10,000 | \$4,000 | \$6,000 | \$ 5,000 - 30,000 | \$25,000 | \$ 5,000 - 10,000 |
| Pronghorn | \$2,000 | | \$2,000 | \$4,000 | \$2,000 | \$ 5,000-30,000 | \$7,500 | \$ 5,000 - 10,000 |
| Caribou | \$10,000 | | | | | | | |

| Compounding? | Yes | Yes | No | Civil Forfeiture w doubling | Civil Forfeiture | Civil Forfeiture |
|----------------|-----|-----|----|-----------------------------|------------------|-----------------------------|
| State Code Sec | | | | MCA 15.070 | NRS 501.3857 | Wy Stat 23-6-208 & 23-3-107 |

Note 1: Washington Statutes call for \$4,000 penalty for taking an Endangered Swan.

Note 2: Wyoming has no separate reimbursement law, but imposes stiff fines of \$ 5,000 to \$ 10,000 for unlawful taking of antlered elk, antlered deer, horned antelope, bighorn sheep, mountain goat, mountain lion, grizzly bear, and black bear. Offenders are also subject to civil forfeiture. Civil forfeiture also applies to wanton destruction of any big game animal per Wy Stat 23-6-208 and 23-3-107.

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Inflation @ 3% 1999---2026

1999---\$100

2015---\$142.46

2016---\$146.73

2017---\$151.13

2018---\$155.66

2019---\$160.33

2020---\$165.15

2021---\$170.10

2022---\$175.20

2023---\$180.46

2024---\$185.87

2025---\$191.45

2026---\$197.19