

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 16

BY RESOURCES AND CONSERVATION COMMITTEE

AN ACT

RELATING TO CONTROLLED HUNTS; AMENDING SECTION 36-408, IDAHO CODE, TO PROVIDE A LIMITATION ON THE NUMBER OF TAGS AND PERMITS TO BE ISSUED TO NONRESIDENTS IN CERTAIN CONTROLLED HUNTS AND TO MAKE TECHNICAL CORRECTIONS.

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. No more than ten percent (10%) of all controlled hunt tags or permits issued for any controlled hunt, with the exception of outfitter allocated hunts, but including super controlled hunts, shall be issued to nonresidents.

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

14 (b) Lottery bighorn sheep tag. The commission is also authorized to issue one (1)
 15 special bighorn sheep tag which will be disposed of by lottery. The lottery permit can
 16 be marketed by the department of fish and game or a nonprofit organization dedicated
 17 to wildlife conservation selected by the commission. The tag will be issued by the
 18 department of fish and game to an eligible person drawn from the lottery provided in this
 19 subsection. No more than twenty-five percent (25%) of gross revenue can be retained
 20 for administrative costs by the organization. All net proceeds for the tag disposed of by
 21 lottery pursuant to this subsection shall be remitted to the department and deposited in the
 22 fish and game expendable trust account. Moneys in the account from the lottery bighorn
 23 sheep tag shall be utilized by the department in solving problems between bighorn
 24 sheep and domestic sheep, solving problems between wildlife and domestic animals or
 25 improving relationships between sportsmen and private landowners by being utilized in
 26 the veterinarian program established in subsection (e)9. of section 36-106, Idaho Code.

27 (6) Issuance of ~~f~~Free ~~p~~Permit or ~~t~~Tag to ~~m~~Minor ~~e~~Children with ~~l~~Life-~~t~~Threatening
 28 ~~m~~Medical ~~e~~Conditions. Notwithstanding any other provision of law, the commission may issue
 29 free big game permits or tags to minor children who have life-threatening medical conditions
 30 that have been certified eligible by a qualified organization. The commission may prescribe
 31 by rule the manner and conditions of issuing and using the permits or tags authorized under
 32 this subsection (6). For purposes of this subsection (6) a "qualified organization" means a
 33 nonprofit organization that is qualified under section 501(c)(3) of the Internal Revenue Code
 34 and that affords opportunities and experiences to minor children with life-threatening medical
 35 conditions.

36 (7) Special Wolf Tags. The commission is hereby authorized to issue up to ten (10)
 37 special auction or lottery tags for hunting wolves. Special wolf tags will be auctioned off
 38 or made available through lottery by incorporated nonprofit organizations dedicated to wildlife
 39 conservation and selected by the director. No more than five percent (5%) of all proceeds for
 40 each tag may be retained by the nonprofit organization for administrative costs involved. Each
 41 wolf tag shall be issued by the department of fish and game and awarded to the highest eligible
 42 bidder or winner of a lottery. Each tag will be good for the harvest of one (1) wolf pursuant to
 43 commission rule. The proceeds from each tag will be sent to the director to be placed in the
 44 department general license fund.