



Jeff Youtz
Director

Legislative Services Office Idaho State Legislature

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MEMORANDUM

TO: Senators PEARCE, Bair, Werk and,
Representatives STEVENSON, Shepherd, Pence

FROM: Katharine Gerrity - Principal Legislative Research Analyst

DATE: September 29, 2011

SUBJECT: Temporary Rule

IDAPA 13.01.04 - Rules Governing Licensing - Temporary Rule - Docket No. 13-0104-1103

We are forwarding this temporary rule to you for your information only. No analysis was done by LSO. This rule is posted on our web site. Please call with any questions - 334-4845. Thank you.

Attachment: Temporary Rule

Mike Nugent Manager
Research & Legislation

Cathy Holland-Smith, Manager
Budget & Policy Analysis

Don H. Berg, Manager
Legislative Audits

Glenn Harris, Manager
Information Technology

IDAPA 13 - IDAHO FISH AND GAME COMMISSION

13.01.04 - RULES GOVERNING LICENSING

DOCKET NO. 13-0104-1103

NOTICE OF RULEMAKING - ADOPTION OF TEMPORARY RULE

EFFECTIVE DATE: The effective date of the temporary rule is August 24, 2011.

AUTHORITY: In compliance with Section 67-5226, Idaho Code, notice is hereby given that this agency has adopted a temporary rule. The action is authorized pursuant to Sections 36-104(b), 36-408, and 36-415, Idaho Code.

DESCRIPTIVE SUMMARY: The following is the required finding and concise statement of its supporting reasons for adopting a temporary rule:

Section 36-415, Idaho Code, requires a refund rule when the Commission orders a discount in tag fees. By Commission order, nonresident wolf tag fees have been discounted, requiring a refund rule.

TEMPORARY RULE JUSTIFICATION: Pursuant to Section 67-5226(1)(c), Idaho Code, the Governor has found that temporary adoption of the rule is appropriate for the following reasons:

The temporary rule confers a benefit to certain nonresident hunters.

FEE SUMMARY: Pursuant to Section 67-5226(2), the Governor has found that the fee or charge being imposed or increased is justified and necessary to avoid immediate danger and the fee is described herein: N/A

ASSISTANCE ON TECHNICAL QUESTIONS: For assistance on technical questions concerning the temporary rule, contact Sharon Kiefer (208) 287-2780.

DATED this 29th day of August, 2011.

W. Dallas Burkhalter
Deputy Attorney General
Natural Resources Division/Fish and Game
600 S. Walnut
P.O. Box 25, Boise, Idaho 83707
(208) 334-3715, Fax (208) 334-2148

THE FOLLOWING IS THE TEXT OF THE TEMPORARY RULE FOR DOCKET NO. 13-0104-1103

603. NONRESIDENT WOLF TAG DISCOUNT REFUND.

01. Eligibility for Refund. This nonresident wolf tag refund rule applies only to 2011 nonresident wolf tags purchased for a fee of one hundred eighty-six dollars (\$186), inclusive of the vendor issuance fee, between May 5, 2011, and July 27, 2011. (8-24-11)T

02. Payment of Refund. The Department shall pay each holder of a nonresident wolf tag eligible for refund under this section the amount of one hundred fifty-four dollars and twenty-five cents (\$154.25), the difference between one hundred eighty-six dollars (\$186) and the discounted price of thirty-one dollars and seventy-five cents (\$31.75) (inclusive of the vendor fee) authorized by the Commission. (8-24-11)T

603.4. -- 699. (RESERVED)