

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 247

BY REVENUE AND TAXATION COMMITTEE

AN ACT

1 RELATING TO FISH AND GAME; AMENDING SECTION 36-408, IDAHO CODE, TO PROVIDE  
2 FOR SPECIAL BIG GAME AUCTION TAGS DESIGNATED AS GOVERNOR'S AUCTION  
3 TAGS.  
4

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

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

8 36-408. COMMISSION'S AUTHORITY -- TAGS -- PERMITS -- NONRESIDENTS  
9 LIMITED -- OUTFITTERS SET-ASIDE. (1) Tags and Permits -- Method of Use. The  
10 commission is hereby authorized to prescribe the number and kind of wildlife  
11 that may be taken under authority of the several types of tags and permits  
12 provided for in this title, and the manner in which said tags and permits  
13 shall be used and validated.

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

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

26 In order for a person to purchase any set-aside nonresident deer tag or  
27 nonresident elk tag, that person's outfitter must submit an application with  
28 the proper fees as required by the director. If any nonresident deer tags or  
29 nonresident elk tags set aside pursuant to this subsection are unsold by July  
30 1 of the year in which they were set aside, they may be sold by the department  
31 to the general public who are nonresidents. The commission may promulgate  
32 all necessary rules to implement the provisions of this subsection.

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

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

41 (a) Auction bighorn sheep tag. One (1) special bighorn sheep tag shall  
42 be auctioned off by an incorporated nonprofit organization dedicated

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

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

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

40 (7) Issuance of free permit or tag to military veterans with disabili-  
41 ties. Notwithstanding any other provision of law, the commission may issue  
42 free big game permits or tags to disabled military veterans who have been  
43 certified eligible by a qualified organization. The commission may pre-  
44 scribe by rule the manner and conditions of issuing and using the permits  
45 or tags authorized under this subsection (7). For purposes of this sub-  
46 section (7), a "qualified organization" means a governmental agency that  
47 assists veterans or a nonprofit organization that is qualified under section  
48 501(c) (3) of the Internal Revenue Code and that affords opportunities, expe-  
49 riences and assistance to disabled veterans.

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

12 (9) Special Big Game Auction Tags -- Governor's Auction Tags. The  
13 commission is hereby authorized to issue special big game auction tags  
14 hereafter named and referred to as "Governor's auction tags" for hunting  
15 designated species beginning September 1 and ending November 30 of the same  
16 calendar year in any established hunt area for the designated species. To  
17 enhance and sustain the value of Idaho's wildlife, up to three (3) auction  
18 tags per species per year will be issued for deer, elk and pronghorn ante-  
19 lope, and one (1) auction tag per species per year will be issued for mountain  
20 goat, bighorn sheep and moose. Each tag will be signed by the governor of  
21 Idaho prior to auction to the public and be available to either residents  
22 or nonresidents of Idaho. Governor's auction tags issued for deer, elk,  
23 pronghorn antelope and moose pursuant to this subsection shall be taken  
24 from the nonresident controlled hunt programs for these species adopted by  
25 the fish and game commission. Governor's auction tags issued for mountain  
26 goat and bighorn sheep shall be taken from the nonresident mountain goat  
27 and bighorn sheep quota. Governor's auction tags shall be auctioned off by  
28 incorporated nonprofit organizations dedicated to wildlife conservation  
29 and selected by the director. No more than five percent (5%) of all proceeds  
30 from each auction tag sale may be retained by the nonprofit organization for  
31 administrative costs involved, including in the event a tag is redonated and  
32 reauctioned. Each tag shall be issued by the department of fish and game and  
33 awarded to the highest eligible bidder. Each Governor's auction tag shall  
34 be good for the harvest of one (1) big game animal pursuant to commission  
35 rule consistent with the provisions of this subsection. The proceeds from  
36 each tag shall be sent to the director to be allocated thirty percent (30%)  
37 for sportsmen access programs such as access yes, and seventy percent (70%)  
38 for wildlife habitat projects, wildlife management projects to increase the  
39 quantity and quality of big game herds, and research and planning activities  
40 approved by the commission to assist the department and land management  
41 agencies in facilitating habitat solutions.