

Meeting Date: July 23, 2020

Agenda Item No. 5.E.

Agenda Item: 2020 Legislative Proposals,

Bureau Chief Approval: PK

Department Sponsored

Prepared by: Paul Kline

Background: Staff briefed the Commission in May regarding their request to consider two ideas for legislation for the 2021 Legislative Session that would be specifically sponsored by the Department. The Commission approved staff to submit both ideas for legislation through the Executive Agencies Legislation System (EALS); this action was completed prior to the July 10, 2020 filing deadline. After additional review, only one legislative idea is moving forward. Subsequent Governor's Office approval of language is required to move legislation ideas forward. Once approved, the proposal must then be drafted in bill format and submitted to EALS by August 14, 2020. The idea is as follows:

1. Legislative idea: Define sage-grouse tags in 36-409; define the cost of sage-grouse tags in 36-416; define that a sport permit is no longer required to hunt sage-grouse in 36-1401. The purpose of this legislation is to provide better opportunity to the public to hunt sage-grouse by changing the hunt structure from one where a sport permit is required to one where a game tag is required. A limited tag framework for hunting sage-grouse will take into account sage-grouse population information so the number of tags made available each hunt year can be set based on biological information. This is a more responsible way to manage harvest and will maximize the number of tags made available to the public. The proposed cost for sage-grouse tags will remain the same or similar to the current cost for sage-grouse sport permits. Sharp-tailed grouse hunting will remain permit-based and not change over to the tag-framework.

Staff have drafted proposed changes to Idaho Statute for the idea (see below).

Statutory Authority and/or Policy issues: The Commission has responsibility to provide policy direction for Department-sponsored legislation.

Public Involvement Process: There is an opportunity through Commission hearings in July through January for public input regarding Governor's Office-approved legislative proposals. There is also substantial opportunity for public involvement through legislative committee hearings about bills during the 2020 session.

Staff Recommendation:

- Staff recommends the Commission provide policy approval for legislative language as presented.

Sample Motion:

Move to provide policy approval to submit Legislative idea #1 through the Executive Agency Legislative System

Justification: Commission review is necessary to ensure consistency between legislative ideas and Commission policy and priorities.

Legislative Idea #1

AN ACT

RELATING TO FISH AND GAME; AMENDING SECTION 36-409, IDAHO CODE, TO REVISE PROVISIONS FOR GAME TAGS FOR HUNTING SAGE-GROUSE; AMENDING 36-416, IDAHO CODE TO SET THE COST OF A SAGE-GROUSE TAG AND ELIMINATE THE REQUIREMENT FOR A SAGE GROUSE PERMIT; AMENDING 36-1401, IDAHO CODE TO ELIMINATE A VIOLATION FOR NOT PURCHASING A SAGE GROUSE PERMIT.

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

Section 1. That Section 36-409, Idaho Code, be, and the same is hereby amended to read as follows:

36-409. GAME TAGS -- PERMITS -- FEES -- PENALTY. (a) Resident Game Tags. A resident who has obtained authorization to hunt, as provided in section 36-401, Idaho Code, or has purchased or obtained a license to hunt, as provided in section 36-406, Idaho Code, upon payment of the fees provided in this chapter shall be eligible to receive a resident game tag to hunt and kill a moose, bighorn sheep, mountain goat, elk, deer, antelope, mountain lion, black bear, grizzly bear, wolf, sandhill crane, swan, sage-grouse, or turkey in accordance with the laws of this state and rules promulgated by the commission; provided further, that any person who holds a senior resident combination license or any person who holds a junior combination or hunting license or any disabled American veteran who holds a disabled combination license may be issued a black bear, deer, elk, or turkey tag for a fee as specified in section 36-416, Idaho Code; provided further, that resident game tags may be issued only to those persons who meet residency requirements of section 36-202(s), Idaho Code. In the event an emergency is declared to open a season to protect private property as provided in section 36-106(e)6.(B), Idaho Code, the affected landowner or his designee shall be eligible to receive a resident deer, elk or antelope tag without charge; provided further, that resident game tags may be