

**Meeting Date:** May 14, 2020

**Agenda Item No. 7.**

**Agenda Item:** Rulemaking Update

**Bureau Chief Approval:** PK

**Prepared by:** Paul Kline, Deputy Director

**Background:** The Idaho Administrative Procedure Act (Title 67, Chapter 52, Idaho Code) governs rulemaking in Idaho. Annually, the Commission considers ideas for rulemaking that may be driven by enactment of state or federal legislation, a citizen petition, a desired change in agency procedural or substantive requirements, or a need to simply update a rule. Typically, the Commission discusses rulemaking ideas early in the calendar year and provides direction to staff to initiate rulemaking no later than the regularly scheduled March meeting so proper and timely notice can be given to the public for the opportunity to participate in rulemaking (e.g., initiated with a notice of intent to promulgate rules published in the Idaho Administrative Bulletin).

This agenda item serves as an update for those rulemaking ideas the Commission previously authorized Department staff to initiate.

At the January 23, 2020 Commission meeting:

1. Land Owner Appreciation tag application period date change;
2. Turkey tag simplification;
3. Swan tag validation, attachment and reporting;
4. Pronghorn Controlled Hunt waiting period;
5. Delayed nonresident pheasant season opener (petitioned request);
6. Bait allowances for trapping (petitioned request); and
7. Body grip trapping modifications (petitioned request).

At the March 20, 2020 Commission meeting:

1. Tag limits (deer and elk) for nonresident Disabled American Veterans; and
2. Sage-grouse hunt framework (moving from a permit system to a limited tag system).

At the April 16, 2020 Commission conference call:

1. Allowance for veterans and active service members to participate with youth in special two-day waterfowl hunts.

Note: the Commission will consider two additional petitioned requests for rule making during this meeting:

1. Agenda item 5.B.1. Lighted nocks
2. Agenda item 5.B.2. Signage near trapping.

**Statutory Authority and/or Policy issues:** The Commission has rulemaking authority under various provisions of Title 36.

**Public Involvement Process:** There is opportunity for public involvement in rulemaking through the negotiated rulemaking process and public input associated with Commission meetings from May 2020 through November 2020. For pending rules submitted for review by the 2021 Legislature, there is also opportunity for public involvement through legislative committee hearings during the 2021 Session.

**Staff Recommendation:** This agenda item is for information only. No action is required. Staff will provide future updates on rulemaking process as appropriate.

**Justification:** This agenda item addresses Commission interest in Department rulemaking.