

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 520

BY RESOURCES AND CONSERVATION COMMITTEE

AN ACT

RELATING TO FISH AND GAME; AMENDING SECTION 36-2120, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE DESIGNATION OF ALLOCATED TAGS; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

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

SECTION 1. That Section 36-2120, Idaho Code, be, and the same is hereby amended to read as follows:

36-2120. DESIGNATION OF ALLOCATED TAGS. (1) Each time the commission sets big game seasons, except as provided in subsection (3) of this section, the board shall:

(a) Designate allocated tags using a formula that prioritizes an individual outfitting operation's use, including the transfer of allocated tags previously designated to it;

(b) Designate any remaining or additional undesignated allocated tags based on each outfitting operation's base allocation number in comparison to its use of previously designated allocated tags and in proportion to other outfitting operations; and

(c) Incorporate the base allocation number into the formula used to designate allocated tags to each outfitting operation; and

(d) When reasonably practical to do so, designate allocated tags before the date on which nonallocated tags become available for sale to nonresidents for the hunt in which tags are allocated.

(2) An individual outfitting operation's base allocation number is computed as follows:

(a) In capped hunts, the average of the ~~last~~ two (2) calendar years preceding the date of allocation of all outfitted hunter tag use history in the hunt with the most similar framework to the hunt for which the allocated tag is being designated.

(b) In controlled hunts, the highest year within the ~~last~~ two (2) calendar years preceding the date of allocation of all outfitted hunter tag use history in the controlled hunt or hunts with the most similar framework to the hunt for which the allocated tag is being designated.

(3) If the commission sets big game seasons more frequently than biennially, the board will designate allocated tags only for the hunts for which the fish and game commission adjusted the number of allocated tags.

(4) If the commission reduces the number of allocated tags for a hunt from the immediately preceding big game season setting for that hunt, the board will designate allocated tags as set forth in this section, and then it will reduce each outfitting operation's designation by the same percentage as the percentage reduction to the total number of allocated tags.

1 (5) If the commission allocates tags for a new capped or controlled
2 hunt, the board will designate allocated tags for that hunt proportionately
3 based on each outfitting operation's base allocation number.

4 (6) The board may adjust the number of tags that would be otherwise des-
5 igned to an outfitting operation for a hunt based upon a request and demon-
6 stration of hardship by one (1) or more outfitting operations authorized for
7 that hunt, upon notice and an opportunity to be heard by all affected outfit-
8 ting operations.

9 (7) Prior to turning back unsold allocated tags to the department of
10 fish and game, a pool for these tags will be established within each hunt.
11 These pooled tags will be accessible to other licensed outfitters in the same
12 hunt for periods of time specified by the board.

13 (8) The board will notify licensees of the number of allocated tags des-
14 igned to its operations and the basis for designation.

15 SECTION 2. An emergency existing therefor, which emergency is hereby
16 declared to exist, this act shall be in full force and effect on and after
17 July 1, 2022.