

IN THE SENATE

SENATE BILL NO. 1211

BY STATE AFFAIRS COMMITTEE

AN ACT

1 RELATING TO WOLVES; AMENDING SECTION 22-5304, IDAHO CODE, TO REVISE PRO-
2 VISIONS REGARDING THE POWERS AND DUTIES OF THE IDAHO WOLF DEPREDATION
3 CONTROL BOARD; AMENDING SECTION 22-5306, IDAHO CODE, TO REVISE PROVI-
4 SIONS REGARDING WOLF CONTROL ASSESSMENTS AND THE TRANSFER OF CERTAIN
5 FUNDS; AMENDING SECTION 36-201, IDAHO CODE, TO REVISE PROVISIONS
6 REGARDING THE TAKING OF WOLVES, TO PROVIDE FOR HUNTING AND TRAPPING SEA-
7 SONS, AND TO REVISE PROVISIONS REGARDING COLLARING OF WOLVES; AMENDING
8 SECTION 36-408, IDAHO CODE, TO REVISE PROVISIONS REGARDING WOLF TAGS
9 AND TO CLARIFY THAT APPROPRIATE EDUCATION REQUIREMENTS MUST BE MET; AND
10 AMENDING SECTION 36-1107, IDAHO CODE, TO REVISE PROVISIONS REGARDING
11 THE CONTROL OF DEPREDATION OF WOLVES ON LIVESTOCK AND DOMESTIC ANIMALS
12 AND TO PROVIDE FOR THE CONTROL OF DEPREDATION OF WOLVES ON WILDLIFE POP-
13 ULATIONS.
14

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

16 SECTION 1. That Section 22-5304, Idaho Code, be, and the same is hereby
17 amended to read as follows:

18 22-5304. POWERS AND DUTIES. (1) It is hereby made the duty of the board
19 to administer the wolf control fund including setting the procedures and
20 standards for payment from the fund. In carrying out these duties, the board
21 may cooperate with federal, state, county, city and private agencies, orga-
22 nizations and individuals.

23 (2) The board has the authority to enter into agreements, including
24 contracts, memoranda of understanding or memoranda of agreement with any
25 federal agency, state agency, private contractor, political subdivision
26 of the state of Idaho, or agency of another state in order to implement the
27 provisions of this act.

28 (3) The control of wolves under this chapter does not include the pay-
29 ment of compensation for damages. Control activities funded by the board
30 shall be consistent with the provisions of section 36-1107(c) and (d), Idaho
31 Code.

32 (4) The board may contract with the director of the Idaho state depart-
33 ment of agriculture (ISDA) for legal and fiscal services as required under
34 this act.

35 SECTION 2. That Section 22-5306, Idaho Code, be, and the same is hereby
36 amended to read as follows:

37 22-5306. WOLF CONTROL ASSESSMENTS -- USE OF FUNDS -- FISH AND GAME FUND
38 TRANSFER. In order to carry out the provisions of this chapter, the following
39 shall occur:

1 (1) Wolf control assessments collected from the livestock industry,
2 by and through the state brand inspector and the Idaho sheep and goat health
3 board, shall be combined for purposes of deposit into the livestock sub-
4 account of the wolf control fund and, beginning in fiscal year 2015, shall
5 total one hundred ten thousand dollars (\$110,000) annually for each fiscal
6 year.

7 (a) The state brand inspector shall assess, levy and collect, as set
8 forth in section 25-1145, Idaho Code, wolf control assessments in an
9 amount sufficient to fund, in combination with Idaho sheep and goat
10 health board assessments, the livestock subaccount of the wolf control
11 fund as provided in subsection (1) of this section.

12 (b) The Idaho sheep and goat health board shall assess, levy and col-
13 lect, as set forth in section 25-131, Idaho Code, wolf control assess-
14 ments in an amount sufficient to fund, in combination with state brand
15 inspector assessments, the livestock subaccount of the wolf control
16 fund as provided in subsection (1) of this section.

17 (2) The wolf depredation control board shall use all funds in the wolf
18 control fund, with the exception of moneys transferred from the fish and game
19 fund as provided for in subsections (3), (4) and (5) of this section unless so
20 directed by the fish and game commission pursuant to subsection (3) of this
21 section, for all activities associated with legal lethal means of control
22 and for the purposes of sections 22-5302 and 22-5304(4), Idaho Code.

23 (3) Beginning in fiscal year 2015~~22~~, the state controller shall annu-
24 ally, as soon after July 1 of each year as practical, transfer ~~one~~ three hun-
25 dred ~~ten~~ thousand dollars (~~\$11300,000~~) from the fish and game fund to the
26 fish and game fund transfer subaccount of the wolf control fund. The fish and
27 game commission, on or before July 1 of each year, is authorized to direct the
28 wolf depredation control board as to the use of such funds and the wolf depre-
29 dation control board shall comply with the direction of the commission.

30 (4) ~~Between the effective date of this act and fiscal year 2015, the~~
31 ~~assessment and transfer amount requirements of this section shall not be~~
32 ~~required. In lieu thereof, wolf control assessments collected by the state~~
33 ~~brand inspector and the Idaho sheep and goat health board for deposit into~~
34 ~~the livestock subaccount of the wolf control fund shall be matched by an~~
35 ~~amount to be transferred from the fish and game fund to the fish and game fund~~
36 ~~transfer subaccount of the wolf control fund, but i~~In no event shall either
37 the wolf control assessments deposited into the livestock subaccount ~~or mon-~~
38 ~~eys from the fish and game fund transferred into the fish and game transfer~~
39 ~~subaccount exceed one hundred ten thousand dollars (\$110,000).~~

40 (5) Notwithstanding any other provision of this chapter, in the event
41 the total wolf control assessments collected from the livestock industry in
42 any fiscal year are less than one hundred ten thousand dollars (\$110,000),
43 and available moneys in the secondary fund are insufficient to bring the
44 total to one hundred ten thousand dollars (\$110,000), the livestock indus-
45 try shall only be required to deposit the moneys so collected and available
46 from the secondary fund into the livestock subaccount of the wolf control
47 fund, and the state controller shall ~~transfer a matching~~ the full amount
48 transferred from the fish and game fund to the fish and game fund transfer
49 subaccount of the wolf control fund.

1 SECTION 3. That Section 36-201, Idaho Code, be, and the same is hereby
2 amended to read as follows:

3 36-201. FISH AND GAME COMMISSION AUTHORIZED TO CLASSIFY WILDLIFE. (1)
4 With the exception of predatory animals, the Idaho fish and game commission
5 is hereby authorized to define by classification or reclassification all
6 wildlife in the state of Idaho. Such definitions and classifications shall
7 include:

- 8 (a) Game animals
- 9 (b) Game birds
- 10 (c) Game fish
- 11 (d) Fur-bearing animals
- 12 (e) Migratory birds
- 13 (f) Threatened or endangered wildlife
- 14 (g) Protected nongame species
- 15 (h) Unprotected wildlife

16 Predatory wildlife shall include:

- 17 1. Coyote
- 18 2. Jackrabbit
- 19 3. Skunk
- 20 4. Weasel
- 21 5. Starling
- 22 6. Raccoon

23 (2) Notwithstanding the classification assigned to wolves, all meth-
24 ods of take including, but not limited to, all methods utilized by the United
25 States fish and wildlife service and the United States department of agri-
26 culture wildlife services, shall be authorized for the management of wolves
27 in accordance with existing laws or approved management plans. In addition,
28 any method utilized for the take of any wild canine in Idaho shall be avail-
29 able for the taking of wolves.

30 (3) Wolf trapping season shall be open year-round on all private prop-
31 erty, as long as individuals are in compliance with the permission require-
32 ments contained in section 36-1603, Idaho Code, before entering private
33 property. It is the expectation of the legislature that wolf collaring will
34 be continued used as one of the proactive management tools for packs that
35 are predisposed to depredation on domestic livestock and for assisting with
36 population counts.

37 SECTION 4. That Section 36-408, Idaho Code, be, and the same is hereby
38 amended to read as follows:

39 36-408. COMMISSION'S AUTHORITY -- TAGS -- PERMITS -- NONRESIDENTS
40 LIMITED -- OUTFITTERS SET-ASIDE. (1) Tags and Permits -- Method of Use. The
41 commission is hereby authorized to prescribe the number and kind of wildlife
42 that may be taken under authority of the several types of tags and permits
43 provided for in this title and the manner in which said tags and permits shall
44 be used and validated. All Idaho wolf tags will be valid for hunting, trap-
45 ping, and snaring in any unit when seasons are open at the time of take. There
46 shall be no limit to the number of wolf tags that an individual can purchase.
47 All appropriate fish and game education requirements must be met.

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

6 (3) Outfitted Hunter Tags Set-Aside. When the commission establishes a
7 limit as to the number of nonresident deer tags and nonresident elk tags, it
8 shall set aside, when setting big game seasons, in a statewide pool, a maxi-
9 mum of twenty-five percent (25%) of the nonresident deer tag and nonresident
10 elk tag limit. These tags may be allocated to the outfitted hunters in capped
11 hunts and controlled hunts and set aside for outfitted hunter use in general
12 hunts.

13 Such outfitted allocated set-aside tags shall be separate from the tag
14 numbers set for residents and nonresidents in each capped or controlled
15 hunt, unit, or game management area. The set-aside tags shall be sold pur-
16 suant to commission rule, only to persons that have entered into a signed
17 agreement for that year to utilize the services of an outfitter licensed
18 pursuant to chapter 21, title 36, Idaho Code.

19 In order for a person to purchase any set-aside nonresident deer tag or
20 nonresident elk tag, that person's outfitter must submit an application with
21 the proper fees as required by the director. If any nonresident deer tags or
22 nonresident elk tags set aside for use in general hunts pursuant to this sub-
23 section are unsold by July 15 of the year in which they were set aside, they
24 may be sold by the department to the general public pursuant to commission
25 rule. If any nonresident deer tags or nonresident elk tags set aside as gen-
26 eral capped allocated tags pursuant to this subsection are unsold by July 31
27 of the year in which they were set aside, they may be sold by the department to
28 the general public pursuant to commission rule.

29 The commission may promulgate all necessary rules to implement the pro-
30 visions of this subsection.

31 (4) Deer and Elk Tag Allocation. When setting big game seasons, if the
32 commission limits the number of deer or elk tags available for use in any game
33 management area, unit, or zone, the commission may allocate by rule, where
34 there are outfitted operations, a number of deer and elk tags from the out-
35 fitted hunter set-aside pool of tags for use by hunters that have entered
36 into a signed agreement for that year to utilize the services of an outfit-
37 ter licensed pursuant to chapter 21, title 36, Idaho Code.

38 In addition to rules promulgated by the commission regarding allo-
39 cation, or pursuant to this section, in capped hunts the commission may
40 allocate the number of outfitted hunter elk and deer tags based on the high-
41 est number within each of the last two (2) years of all elk or deer tags using
42 the services of an outfitter in each capped hunt. Any additional tags above
43 the original outfitted hunter tag quota may come from the nonresident out-
44 fitted hunter set-aside pool or the nonresident quota in the capped hunt,
45 not to exceed fifty percent (50%) of the nonresident quota for each capped
46 hunt. In capped hunts, when tag numbers change for all users, they will apply
47 proportionally to all user groups.

48 In controlled hunts, the commission may allocate the number of outfit-
49 ted hunter elk or deer tags based on a number compiled from each outfitter's
50 highest year within the last two (2) years of all elk or deer tags using

1 the services of an outfitter for each controlled hunt. Any additional tags
2 above the original outfitted hunter tag quota may come from the nonresident
3 outfitted hunter set-aside pool or the nonresident quota in the controlled
4 hunt, not to exceed fifty percent (50%) of the nonresident quota for each
5 controlled hunt.

6 Outfitted hunter tag use history will be provided through records from
7 the sale of outfitted hunter tags compiled by the Idaho department of fish
8 and game and verified use other than allocated tags recorded with the depart-
9 ment by December 20 by outfitters. The department shall distribute the allo-
10 cated outfitted tags through its point-of-sale machines.

11 Beginning December 1, 2020, all outfitted deer and elk tag use shall be
12 verified in order to qualify for allocated outfitted hunter tag use history.
13 Verification consists of the purchase of allocated tags from the Idaho de-
14 partment of fish and game or the use of an outfitter-provided agreement, in-
15 cluding the tag number that is recorded with the department.

16 All big game tags used in allocated outfitted hunts must be recorded by
17 outfitters with the department by December 20 each year. An administrative
18 fee of five dollars (\$5.00) shall be assessed for each allocated outfitted
19 big game tag sold or exchanged at a point-of-sale machine. An administrative
20 fee of twenty dollars (\$20.00) shall be assessed for each big game tag sub-
21 mitted for verification as being outfitted.

22 The allocated tags shall be designated by the Idaho outfitters and
23 guides licensing board to those authorized outfitting operations licensed
24 for elk and deer hunting for the use by the outfitted hunter, pursuant to
25 section 36-2107(i), Idaho Code.

26 Those tags not qualified for allocated tag use history include emer-
27 gency depredation, landowner appreciation program hunts, or meat packing
28 without an outfitted allocated deer or elk tag.

29 The commission may promulgate all necessary rules to implement the pro-
30 visions of this subsection.

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

33 (a) Auction bighorn sheep tag. One (1) special bighorn sheep tag shall
34 be auctioned off by an incorporated nonprofit organization dedicated
35 to wildlife conservation selected by the commission. The tag shall be
36 issued by the department of fish and game to the highest eligible bid-
37 der. No more than five percent (5%) of all proceeds for the tag may be
38 retained by the organization. The tag to be issued pursuant to this
39 subsection shall be taken from the nonresident bighorn sheep tag quota.
40 The net proceeds shall be forwarded to the director for deposit in the
41 fish and game expendable trust account and shall be used for bighorn
42 sheep research and management purposes. Moneys raised pursuant to this
43 subsection may not be used to transplant additional bighorn sheep into
44 that portion of southwest Idaho south of the Snake river and west of U.S.
45 highway no. 93, nor for litigation or environmental impact statements
46 involving bighorn sheep. No transplants of bighorn sheep accomplished
47 with moneys raised pursuant to this subsection shall occur in any area
48 until hearings are conducted in the area. Provided however, that none
49 of the proceeds generated from the auction of bighorn sheep tags pur-
50 suant to this paragraph be used to purchase or acquire private property

1 or federally managed grazing permits, nor shall any proceeds generated
2 be used for matching funds for the purchase of private property or the
3 retirement or the acquisition of federally managed grazing permits.

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

19 (6) Issuance of Free Permit or Tag to Minor Children with Life-Threat-
20 ening Medical Conditions. Notwithstanding any other provision of law, the
21 commission may issue free big game permits or tags to minor children who have
22 life-threatening medical conditions that have been certified eligible by
23 a qualified organization. The commission may prescribe by rule the manner
24 and conditions of issuing and using the permits or tags authorized under this
25 subsection. For purposes of this subsection, a "qualified organization"
26 means a nonprofit organization that is qualified under section 501(c) (3) of
27 the Internal Revenue Code and that affords opportunities and experiences to
28 minor children with life-threatening medical conditions.

29 (7) Issuance of Free Permit or Tag to Military Veterans with Disabil-
30 ities. The commission may prescribe by rule the manner and conditions of
31 using the permits or tags authorized under this subsection. Notwithstand-
32 ing any other provision of law, the commission shall issue five (5) free big
33 game permits or tags to disabled military veterans whose disability has been
34 certified eligible by the Idaho division of veterans services. All veterans
35 applying must be sponsored by a "qualified organization," which for purposes
36 of this subsection means a governmental agency that assists veterans or a
37 nonprofit organization that is qualified under section 501(c) (3), 501(c) (4)
38 or 501(c) (19) of the Internal Revenue Code and that affords opportunities,
39 experiences and assistance to disabled veterans. The Idaho division of vet-
40 erans services shall screen all applicants to ensure only the most deserving
41 disabled veterans shall be issued these permits or tags. A list of screened
42 applicants shall be provided to the commission in priority order for is-
43 suance. The commission shall issue one (1) permit or tag each to the top two
44 (2) candidates for a sponsored hunt as designated by the Idaho division of
45 veterans services and the three (3) remaining permits or tags to candidates
46 sponsored by a qualified organization as described in this subsection.

47 (8) Special Wolf Tags. The commission is hereby authorized to issue up
48 to ten (10) special auction or lottery tags for hunting wolves. Special wolf
49 tags will be auctioned off or made available through lottery by incorporated
50 nonprofit organizations dedicated to wildlife conservation and selected by

1 the director. No more than five percent (5%) of all proceeds for each tag
2 may be retained by the nonprofit organization for administrative costs in-
3 volved. Each wolf tag shall be issued by the department of fish and game and
4 awarded to the highest eligible bidder or winner of a lottery. Each tag will
5 be good for the harvest of one (1) wolf pursuant to commission rule. The pro-
6 ceeds from each tag will be sent to the director to be placed in the depart-
7 ment general license fund.

8 (9) Special Big Game Auction Tags -- Governor's Wildlife Partnership
9 Tags. The commission is hereby authorized to issue special big game auc-
10 tion tags hereafter named and referred to as "Governor's wildlife partner-
11 ship tags" for hunting designated species on dates and in areas designated by
12 the commission. To enhance and sustain the value of Idaho's wildlife, up to
13 three (3) tags per species per year may be issued for deer, elk and pronghorn
14 antelope, one (1) tag per year may be issued for moose, and one (1) tag per
15 species per year may be issued for mountain goat and bighorn sheep. Each tag
16 will be signed by the governor of Idaho prior to auction to the public and be
17 available to either residents or nonresidents of Idaho. Governor's wildlife
18 partnership tags issued for deer, elk, pronghorn antelope and moose pursuant
19 to this subsection shall be taken from the nonresident controlled hunt pro-
20 grams for these species adopted by the fish and game commission. Governor's
21 wildlife partnership tags issued for mountain goat and bighorn sheep shall
22 be taken from the nonresident mountain goat and bighorn sheep quota. Gover-
23 nor's wildlife partnership tags shall be auctioned off by incorporated non-
24 profit organizations dedicated to wildlife conservation and selected by the
25 director. No more than five percent (5%) of all proceeds from each tag sale
26 may be retained by the nonprofit organization for administrative costs in-
27 volved, including in the event a tag is redonated and reauctioned. Each tag
28 shall be issued by the department of fish and game and awarded to the high-
29 est eligible bidder. Each tag shall be good for the harvest of one (1) big
30 game animal pursuant to commission rule consistent with the provisions of
31 this subsection. The proceeds from each tag shall be sent to the director to
32 be allocated up to thirty percent (30%) for sportsmen access programs, such
33 as access yes, and the balance for wildlife habitat projects, wildlife man-
34 agement projects to increase the quantity and quality of big game herds, and
35 other research and management activities approved by the commission. Pro-
36 vided however, that none of the proceeds generated from the auctions pur-
37 suant to the provisions of this subsection shall be used to purchase or ac-
38 quire private property or federally managed grazing permits, nor shall any
39 proceeds generated be used for matching funds for the purchase of private
40 property or the retirement or the acquisition of federally managed grazing
41 permits. Moneys raised pursuant to this subsection may not be used to trans-
42 plant additional bighorn sheep into that portion of southwest Idaho south of
43 the Snake river and west of U.S. highway no. 93, nor for litigation or envi-
44 ronmental impact statements involving bighorn sheep.

45 SECTION 5. That Section 36-1107, Idaho Code, be, and the same is hereby
46 amended to read as follows:

47 36-1107. WILD ANIMALS AND BIRDS DAMAGING PROPERTY. Other provisions
48 of this title notwithstanding, any person may control, trap, and/or remove
49 any wild animals or birds or may destroy the houses, dams, or other struc-

1 tures of furbearing animals for the purpose of protecting property from the
2 depredations thereof as hereinafter provided.

3 The director may delegate any of the authority conferred by this section
4 to any other employee of the department.

5 (a) Director to Authorize Removal of Wildlife Causing Damage. Except
6 for antelope, elk, deer or moose when any other wildlife, protected by this
7 title, is doing damage to or is destroying any property, including water
8 rights, or is likely to do so, the owner or lessee thereof may make complaint
9 and report the facts to the director or his designee who shall investigate
10 the conditions complained of. In the case of water rights, the director
11 shall request an investigation by the director of the department of water
12 resources of the conditions complained of. The director of the department
13 of water resources shall request a recommendation from the local water mas-
14 ter, if any and, upon such examination, shall certify to the director of the
15 department of fish and game whether said wildlife, or houses, dams or other
16 structures erected by said wildlife, is injuring or otherwise adversely
17 impacting water rights. If it appears that the complaint is well-founded
18 and the property of such complainant is being or is likely to be damaged or
19 destroyed by any such wildlife protected under this title, the director may:

20 1. Send a representative onto the premises to control, trap, and/or re-
21 move such protected wildlife as will stop the damage to said property.
22 Any animals or birds so taken shall remain the property of the state and
23 shall be turned over to the director.

24 2. Grant properly safeguarded permission to the complainant to con-
25 trol, trap and/or remove such protected wildlife or to destroy any
26 houses, dams, or other structures erected by said animals or birds. Any
27 protected wildlife so taken shall remain the property of the state and
28 shall be turned over to the director.

29 3. Whenever deemed to be in the public interest, authorize or cause the
30 removal, modification or destruction of any dam, house, structure or
31 obstruction erected by any furbearing animals. The director shall have
32 authority to enter upon all lands, both public and private, as neces-
33 sary, to control, trap or remove such animals, or to so remove, modify
34 or destroy such dam, house, structure or obstruction that is injuring or
35 otherwise adversely impacting water rights, or to require the landowner
36 to do so. The director shall make a reasonable effort to contact any
37 private landowner to schedule a date and approximate time for the re-
38 moval, modification or destruction. No liability whatever shall accrue
39 to the department or the director by reason of any direct or indirect
40 damage arising from such entry upon land, destruction, removal or modi-
41 fication.

42 4. Issue a permit to any bona fide owner or lessee of property that is
43 being actually and materially damaged by furbearing animals, to trap
44 or kill or to have trapped or killed such animals on his own or leased
45 premises. Such permit may be issued without cost to a landholder ap-
46 plicant and shall designate therein the number of furbearing animals
47 that may be trapped or killed, the name of the person who the landowner
48 has designated to take such furbearers and the valid trapping license
49 number of the taker. Furbearers so taken shall be the property of the
50 taker. The term "premises" shall be construed to include any irrigation

1 ditch or right-of-way appurtenant to the land for which said permit is
2 issued.

3 (b) Control of Depredation of Black Bear, Mountain Lion, and Predators.
4 Black bear, mountain lion, and predators may be disposed of by livestock own-
5 ers, their employees, agents and animal damage control personnel when same
6 are molesting or attacking livestock and it shall not be necessary to obtain
7 any permit from the department. Mountain lion so taken shall be reported to
8 the director within ten (10) days of being taken. Livestock owners may take
9 steps they deem necessary to protect their livestock.

10 (c) Control of Depredation of Wolves on Livestock and Domestic Ani-
11 mals. Wolves may be disposed of by livestock or domestic animal owners,
12 their employees, agents and animal damage control personnel when the same
13 are molesting or attacking livestock or domestic animals and it shall not be
14 necessary to obtain any permit from the department. Wolves so taken shall be
15 reported to the director within ~~ten~~ thirty (30) days of being taken. ~~Wolves~~
16 ~~so taken shall remain the property of the state.~~ Livestock and domestic
17 animal owners may take all ~~nonlethal~~ steps they deem necessary to protect
18 their property. A permit must be obtained from the director to control
19 wolves not molesting or attacking livestock or domestic animals. Wolves
20 may be disposed of by any federal agency, state agency, private contractor,
21 political subdivision of the state of Idaho, or agency of another state.
22 The wolf depredation control board shall be authorized to renew such per-
23 mits or transfer such permits to a different contracting party. Control is
24 also permitted by owners, their employees and agents pursuant to the Idaho
25 department of fish and game harvest rules. For the purposes of this subsec-
26 tion, "molesting" means the actions of a wolf that are annoying, disturbing
27 or persecuting, especially with hostile intent or injurious effect, or chas-
28 ing, driving, flushing, worrying, following after or on the trail of, or
29 stalking or lying in wait for, livestock or domestic animals.

30 (d) Control of Depredation of Wolves on Wildlife Populations. Wolves
31 may be disposed of by any federal agency, state agency, private contractor,
32 political subdivision of the state of Idaho, or agency of another state when
33 the population has exceeded the recovery goals of the Idaho wolf conserva-
34 tion and management plan in an effort to maintain a balance of all wildlife
35 populations. Wolves so taken shall be reported to the director within thirty
36 (30) days of being taken. A permit must be obtained from the director.

37 (e) Control of Depredation of Grizzly Bears. For purposes of this sec-
38 tion, "grizzly bear" means any grizzly bear not protected by the federal en-
39 dangered species act. Grizzly bears may be disposed of by livestock or do-
40 mestic animal owners, their employees, agents and animal damage control per-
41 sonnel when the same are molesting or attacking livestock or domestic ani-
42 mals and it shall not be necessary to obtain any permit from the department.
43 Grizzly bears so taken shall be reported to the director within seventy-two
44 (72) hours, with additional reasonable time allowed if access to the site
45 where taken is limited. Grizzly bears so taken shall remain the property of
46 the state. Livestock and domestic animal owners may take all nonlethal steps
47 they deem necessary to protect their property.

48 (ef) Taking of Muskrats in Irrigation Systems Authorized. Muskrats may
49 be taken at any time in or along the banks of irrigation ditches, canals,

1 reservoirs or dams, by the owners, their employees, or those in charge of
2 said irrigation ditches or canals.