

SHORT BALLOT TITLE

Initiative amending Idaho Code § 36-102 to reduce number of commissioners, amend Governor's removal authority and create citizen Wildlife Advisory Council.

LONG BALLOT TITLE

Initiative amending Idaho Code § 36-102(b) to reduce the number of commissioners from seven (7) to five (5); amend the removal authority of the Governor; remove the restriction on political party affiliation; create a Citizen Wildlife Advisory Council (CWAC); Amend Idaho Code § 36-102(c) to change the geographical boundaries of the five (5) commission regions; Amend Idaho Code § 36-102(d) to increase the length of commissioner's terms to six (6) years.

FULL TEXT

Be enacted by the People of State of Idaho:

SECTION 1 That Chapter 1, Title 36, Idaho Code be amended by removing the existing language of Section 36-102-(b), (c), and (d) and replace them as follows:

36-102-b: Membership -- Appointment -- Qualifications:

(1) The commission shall consist of five (5) members to be appointed by the Governor of the State of Idaho, selected from two qualified applicants from each region as recommended by the Citizen Wildlife Advisory Council (CWAC) of each region. Should the Governor fail to appoint a commissioner from any region it shall be the duty of the CWAC in that region to reconvene and submit two additional qualified applicants for the Governor to select from.

(2) Commissioners shall be subject to removal for cause only. A Commissioner being removed for cause must be notified in writing at least 10 days in advance of a proposed removal which must be at a public hearing.

(3) The selection and appointment of said members shall be made solely upon consideration of the welfare and best interests of the fish and wildlife in the State of Idaho, and no person shall be appointed a member of said commission unless he or she be well informed upon, and interested in, the subject of wildlife conservation and restoration. No member shall hold any other elected or appointed office, state, county, or municipal, or any office in any political party organization. Each member of said commission shall be a citizen of the United States, and a resident of the State of Idaho, and a bona fide resident of region from which he or she is appointed as hereinafter set forth. Said members so appointed shall act and assume full powers and duties upon appointment as herein provided.

(4) Upon passage of this initiative the Governor shall cause the formulation of Citizens Wildlife Advisory Councils (CWAC) in each region. The Governor or his designee shall visit each region during February 2003 at a time and place specified and advertised to begin the initial council meeting by taking nominations of those wishing to become council members from those citizens that are present at said meeting. Once nominations have closed the Governor or his designee will conduct an election with those citizens present and elect a nine (9) member CWAC. The Governor or his designee will provide information on how to search for qualified nominees and at this point his duties are complete. The CWAC will then elect a chairman and secretary from within their group and proceed with the process of selecting two (2) well qualified nominee's to send forward to the Governor for appointment. Nominee's must be forwarded to the Governor's office not later than May 15, 2003 initially, and May 15 in all future years that a Commissioner is to be appointed. Regional CWAC members will be elected in February of every year a Commissioner is to be appointed in that region at the direction of the Governor. CWAC members may not be elected to successive terms.

36-102-c: Creation of Regions: For the purpose of this act, the state of Idaho is divided into five (5) regions, which shall be named:

- (1) Region 1 to consist of the counties of Boundary, Bonner, Kootenai, Shoshone and Benewah;
- (2) Region 2 to consist of the counties of Latah, Clearwater, Nez Perce, Lewis and Idaho;

(3) Region 3 to consist of the counties of Adams, Valley, Washington, Payette, Gem, Boise, Canyon, Ada, Elmore and Owyhee;

(4) Region 4 to consist of the counties of Lemhi, Custer, Butte, Camas, Blaine, Gooding, Lincoln, Jerome, Twin Falls, Minidoka and Cassia;

(5) Region 5 to consist of the counties of Clark, Jefferson, Fremont, Madison, Teton, Bingham, Bonneville, Power, Bannock, Caribou, Oneida, Franklin and Bear Lake.

Each of the above enumerated regions shall, at all times be represented by one (1) member of the commission, appointed from said region by the Governor in accordance with the provisions of 36-102-b.

36-102-d. Terms of Office. The members of said Commission shall be appointed for a term of six (6) years, provided that in the case of death of any commissioner, or his removal from office as hereinbefore provided, the governor will appoint a successor from two proposed successors recommended by the regional CWAC for the unexpired term per 36-102-b above. Commissioners may be reappointed but must go through the CWAC selection process and be a nominee to the Governor. Beginning in 2003 and thereafter, the term of each member shall expire on June 30. Upon passage of this initiative, terms for all five (5) Commissioners shall begin July 1, 2003. Two Commissioners will be appointed for two (2) years, two for four (4) years and one for six (6) years. The determination of which Commissioner receives which term will be by the luck of the draw after appointments have been made and prior to taking office. The purpose of this is to stagger the appointments so not more than two Commissioners are appointed in any one year.