

Table of Contents

IDAPA 13 – DEPARTMENT OF FISH AND GAME

13.01.01 – Rules of Practice and Procedure of the Idaho Fish and Game Commission

000. Legal Authority.	2
001. Title And Scope.	2
002. Written Interpretations.	2
003. Administrative Appeal.	2
004. Incorporation By Reference.	2
005. Office – Office Hours – Mailing Address And Street Address.	2
006. Public Records Act Compliance.	2
007. Definitions.	2
008. – 010. (Reserved)	2
011. Commission Officers.	2
012. Duties Of Chair.	2
013. Duties Of Vice-Chair.	2
014. Director – Commission Secretary.	2
015. Delegation Of Powers To Director.	3
016. Investigations.	3
017. Official Receipt Of Documents.	3
018. – 049. (Reserved)	3
050. Conduct Of Commission Meetings.	3
051. – 052. (Reserved)	3
053. Orders.	3
054. Procedure For Public Testimony At Commission Meetings.	3
055. – 999. (Reserved)	4

**IDAPA 13
TITLE 01
CHAPTER 01**

IDAPA 13 – DEPARTMENT OF FISH AND GAME

13.01.01 – RULES OF PRACTICE AND PROCEDURE OF THE IDAHO FISH AND GAME COMMISSION

000. LEGAL AUTHORITY.

Sections 36-103 and 36-104, Idaho Code, authorize the Commission to adopt rules concerning administration of the state's wildlife policy. (6-30-19)T

001. TITLE AND SCOPE.

The title of this chapter for citation is IDAPA 13.01.01, "Rules of Practice and Procedure of the Idaho Fish and Game Commission." These rules govern rulemaking, contested cases, meeting procedure, and appearances before the Commission and Department. (6-30-19)T

002. WRITTEN INTERPRETATIONS.

Written interpretations of these rules and compliance documentation are available at the Department's main office. (6-30-19)T

003. ADMINISTRATIVE APPEAL.

IDAPA 04.11.01, "Idaho Rules of Administrative Procedure of the Attorney General," govern administrative appeals under this chapter. (6-30-19)T

004. INCORPORATION BY REFERENCE.

This chapter incorporates no documents by reference. (6-30-19)T

005. OFFICE – OFFICE HOURS – MAILING ADDRESS AND STREET ADDRESS.

The main office of the Department and Commission is open from 8:00 a.m. to 5:00 p.m. except Saturdays, Sundays and legal holidays. The mailing address is P.O. Box 25, Boise, ID 83707. The street address is 600 S. Walnut Street, Boise, Idaho. (6-30-19)T

006. PUBLIC RECORDS ACT COMPLIANCE.

The agency promulgates rules in accordance with the Administrative Procedure Act (Title 67, Chapter 52, Idaho Code), as provided in Section 36-105, Idaho Code, and they are public records. (6-30-19)T

007. DEFINITIONS.

008. – 010. (RESERVED)

011. COMMISSION OFFICERS.

Commission officers are Chair, Vice-chair, and Secretary. The Commission annually elects the Chair and Vice-chair for the ensuing year. The newly elected chair and vice-chair assume their respective duties at the conclusion of the meeting at which they are elected. (6-30-19)T

012. DUTIES OF CHAIR.

The Chair presides at meetings, sets meeting agendas, and performs other duties at Commission direction. (6-30-19)T

013. DUTIES OF VICE-CHAIR.

The Vice-Chair performs the Chair's duties in his absence. If both Chair and Vice-Chair are absent, the Commission may appoint an Acting Chair to preside. (6-30-19)T

014. DIRECTOR – COMMISSION SECRETARY.

The Director is Commission Secretary, a non-voting member of the Commission. The Secretary or his designee is

custodian of Commission records. The Secretary or her designee is responsible for taking written minutes for Commission meetings and compliance with requirements for publications and notices. (6-30-19)T

015. DELEGATION OF POWERS TO DIRECTOR.

The Commission may delegate powers to the Director as law allows. The Director may make delegate powers to Department employees as law allows. (6-30-19)T

016. INVESTIGATIONS.

The Commission may authorize formal or informal investigations for fact-finding purposes (e.g., IDAPA 04.11.01.420.01), with report of investigation results to the Director, hearing officer or Commission. (6-30-19)T

017. OFFICIAL RECEIPT OF DOCUMENTS.

Unless provided otherwise by statute, rule, order, or notice, a document is not officially received by the Commission until received at the Commission's office, as evidenced by date stamp placed on paper documents, or timestamp of email receipt as of a business day. Communications received by individual Commissioners are not considered officially received by the Commission unless they are received at the Commission office. (6-30-19)T

018. – 049. (RESERVED)

050. CONDUCT OF COMMISSION MEETINGS.

The Commission holds regular and special meetings under Section 36-104(a), Idaho Code. (6-30-19)T

01. Motions and Voting. (6-30-19)T

a. A motion needs a second for the Commission to consider it. (6-30-19)T

b. All members will vote upon all motions placed before the Commission unless excused by the Chair for reasons stated for the record. (6-30-19)T

02. Parliamentary Rules. Robert's Revised Rules of Order, with Procedure in Small Boards, governs the conduct of Commission meetings when applicable, unless inconsistent with statute or these rules. (6-30-19)T

051. – 052. (RESERVED)

053. ORDERS.

01. Signature on Commission Orders. The Chair or the Director (as Secretary) signs all orders issued or authorized by the Commission. (6-30-19)T

02. Signature on Director's Orders. The Director (as Director) signs all orders issued under the Director's authority in carrying out Idaho Code, Title 36. (6-30-19)T

03. Chronologically Numbered. For reference purposes, all orders are chronologically numbered for each year. (6-30-19)T

04. Filed. All orders are kept on file at the main office. (6-30-19)T

054. PROCEDURE FOR PUBLIC TESTIMONY AT COMMISSION MEETINGS.

The Commission provides an opportunity for oral public testimony at its annual and quarterly meetings and at other times at the Commission's discretion. (6-30-19)T

01. Moderator. The Chair or his designee moderates the meeting or hearing. (6-30-19)T

02. Sign Up Card. For administrative record purposes, persons wishing to speak at the meeting must complete and turn in a sign-up card. (6-30-19)T

03. Limiting Testimony. The Chair has sole discretion to set a uniform time limit for oral public

testimony at a meeting, and to limit oral testimony that is: (6-30-19)T

a. Not relevant to Commission business; (6-30-19)T

b. Not directed to the Commission (e.g., where the person testifying is seeking to converse with the audience in general or individuals other than the Commission); or (6-30-19)T

c. Is threatening, abusive, or profane. (6-30-19)T

04. Written Testimony. The Commission will accept written testimony instead of or in addition to oral testimony. (6-30-19)T

05. Public Conduct at Commission Meetings. No person may behave in a manner that disrupts the orderly conduct of a Commission meeting or hearing. Any person who refuses to conduct himself appropriately, and who fails to depart immediately from the meeting area when the Chair notifies him to do so, is subject to removal. (6-30-19)T

055. – 999. (RESERVED)

Subject Index

A

Administrative Appeal 2

C

Commission Officers 2

Conduct Of Commission Meetings 3

 Motions & Voting 3

 Parliamentary Rules 3

D

Definitions, IDAPA 13.01.01 2

Delegation Of Powers To Director 3

Director – Commission Secretary 2

Duties Of Chair 2

Duties Of Vice-Chair 2

I

Incorporation By Reference 2

Investigations 3

L

Legal Authority 2

O

Office – Office Hours – Mailing

 Address & Street Address 2

Official Receipt Of Documents 3

Orders 3

 Chronologically Numbered 3

 Filed 3

 Signature on Commission

 Orders 3

 Signature on Director's Orders 3

P

Procedure For Public Testimony At

 Commission Meetings 3

 Limiting Testimony 3

 Moderator 3

 Public Conduct at Commission

 Meetings 4

 Sign Up Card 3

 Written Testimony 4

Public Records Act Compliance 2

T

Title & Scope 2

W

Written Interpretations 2