

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 89

BY RESOURCES AND CONSERVATION COMMITTEE

AN ACT

1 RELATING TO FISH AND GAME; AMENDING SECTION 36-111, IDAHO CODE, TO REVISE
2 PROVISIONS REGARDING MONEYS PAID INTO THE FISH AND GAME SET-ASIDE AC-
3 COUNT AND TO MAKE TECHNICAL CORRECTIONS; AND AMENDING SECTION 36-406,
4 IDAHO CODE, TO REVISE PROVISIONS REGARDING MONEYS PAID INTO THE FISH
5 AND GAME SET-ASIDE ACCOUNT, TO MAKE CODIFIER'S CORRECTIONS AND TO MAKE
6 TECHNICAL CORRECTIONS.
7

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

9 SECTION 1. That Section 36-111, Idaho Code, be, and the same is hereby
10 amended to read as follows:

11 36-111. FISH AND GAME SET-ASIDE ACCOUNT. (1) There is hereby estab-
12 lished the fish and game set-aside account in the dedicated fund. The ac-
13 count shall have paid into it moneys as follows:

14 (a) ~~Four dollars~~ Fifty percent (~~\$4.00~~50%) of each steelhead trout or
15 anadromous salmon permit sold, except that class 7 permits shall be
16 exempt from this provision. Moneys from this source shall be used for
17 the acquisition, development and maintenance of parking areas, access
18 sites, boat ramps and sanitation facilities in salmon and steelhead
19 fishing areas, for management of and research on steelhead trout and
20 anadromous salmon problems, and for technical assistance with litiga-
21 tion concerning steelhead and anadromous salmon originating in Idaho.

22 (b) Two dollars (\$2.00) from each combination hunting and fishing li-
23 cense, or each hunting license sold, as provided in sections 36-406 and
24 36-407, Idaho Code, except that class 4 and class 7 licenses shall be
25 exempt from this provision. Moneys from this source shall be used for
26 the purposes of acquiring access to and acquiring and rehabilitating
27 big game ranges and upland bird and waterfowl habitats. Unless it is
28 inconsistent with the goals of the commission, it is the intent of the
29 legislature that the commission negotiate lease arrangements as com-
30 pared with outright purchase of private property.

31 (c) ~~One Three~~ Three dollars and fifty cents (~~\$13.50~~\$3.50) from each pronghorn an-
32 telope, elk and deer tag sold as provided in section 36-409, Idaho Code,
33 except that class 7 tags shall be exempt from this provision. Not less
34 than one dollar and seventy-five cents (~~75¢~~\$1.75) of each ~~one three dol-~~
35 lars and fifty cents (~~\$13.50~~\$3.50) collected shall be placed in a separate
36 account to be designated as a feeding account. Moneys in this account
37 shall be used exclusively for the purposes of actual supplemental win-
38 ter feeding of pronghorn antelope, elk and deer. Moneys shall be used
39 solely for the purchase of blocks, pellets, ~~and hay, and activities di-~~
40 rectly related for such winter feeding purposes and/or for the purchase
41 of seed or other material and activities that can be shown to directly
42 provide feed or forage for the winter feeding of pronghorn antelope, elk

1 and deer. The balance of moneys realized from this source may be used
2 for the control of depredation of private property by pronghorn ante-
3 lope, elk and deer and control of predators affecting pronghorn ante-
4 lope, elk and deer. Moneys in the feeding account shall not be used for
5 any purpose other than winter feeding as herein specified. Moneys in
6 the feeding account may not be expended except upon the declaration of
7 a feeding emergency by the director of the department of fish and game.
8 Such emergency need not exist on a statewide basis but can be declared
9 with respect to one (1) or more regions of the state. The department
10 shall by rule establish the criteria for a feeding emergency. The de-
11 partment shall submit a yearly report to the senate resources and envi-
12 ronment committee and the house of representatives resources and con-
13 servation committee ~~of the legislature~~ on or before July 31, detailing
14 how funds in the feeding account have been expended during the preceding
15 fiscal year.

16 (d) Those amounts designated by individuals in accordance with section
17 63-3067A(3) (a), Idaho Code, and from fees paid under the provisions of
18 section 49-417, Idaho Code. Moneys from these sources shall be used for
19 a nongame management and protection program under the direction of the
20 fish and game commission.

21 (e) Money derived from the assessment of processing fees. Moneys de-
22 rived from this source shall be used as provided in section 36-1407,
23 Idaho Code.

24 (2) Moneys in the fish and game set-aside account and the feeding ac-
25 count established in subsection (1) (c) of this section are subject to appro-
26 priation and the provisions of section 67-3516, Idaho Code. Moneys in the
27 fish and game set-aside account and the feeding account shall be invested
28 by the state treasurer in the manner provided for investment of idle state
29 moneys in the state treasury by section 67-1210, Idaho Code, with interest
30 earned on investments from each account to be paid into that account.

31 SECTION 2. That Section 36-406, Idaho Code, be, and the same is hereby
32 amended to read as follows:

33 36-406. RESIDENT FISHING, HUNTING AND TRAPPING LICENSES -- FEES. (a)
34 Adult Licenses -- Combination -- Fishing -- Hunting -- Trapping. A license
35 of the first class may be had by a person possessing the qualifications
36 therein described on payment of a fee as specified in section 36-416, Idaho
37 Code, for a combined fishing and hunting license entitling the purchaser
38 to hunt and fish for game animals, game birds, unprotected and predatory
39 wildlife and fish of the state, a fee as specified in section 36-416, Idaho
40 Code, for a fishing license entitling the purchaser to fish in the public
41 waters of the state, a fee as specified in section 36-416, Idaho Code, for
42 a hunting license entitling the purchaser to hunt game animals, game birds,
43 unprotected and predatory wildlife of the state, and a fee as specified in
44 section 36-416, Idaho Code, for a trapping license entitling the purchaser
45 to trap wolves, furbearing animals and unprotected and predatory wildlife of
46 the state.

47 (b) Junior Licenses -- Hunting -- Trapping. A license of the second
48 class may be had by a person possessing the qualifications therein described
49 on payment of a fee as specified in section 36-416, Idaho Code, for a hunting

1 license, and a fee as specified in section 36-416, Idaho Code, for a trapping
2 license entitling the purchaser to the same privileges as the corresponding
3 license of the first class provides.

4 (c) Junior Combination -- Fishing Licenses. A license of the third
5 class may be purchased by a person possessing the qualifications therein
6 described on payment of a fee as specified in section 36-416, Idaho Code, for
7 a combined fishing and hunting license, and a fee as specified in section
8 36-416, Idaho Code, for a fishing license entitling the purchaser to the same
9 privileges as the corresponding license of the first class provides.

10 (d) Senior Resident Combination. A license of the fourth class may be
11 had by a person possessing the qualifications therein described on payment
12 of a fee as specified in section 36-416, Idaho Code, for a combined fishing
13 and hunting license entitling the purchaser to the same privileges as the
14 corresponding license of the first class provides.

15 (e) Lifetime Licenses -- Combination -- Hunting -- Fishing. A license
16 of the fifth class may be obtained at no additional charge by a person pos-
17 sessed the qualifications therein described for a combined hunting and
18 fishing license, for a hunting license, or for a fishing license, entitling
19 the person to the same privileges as the corresponding license of the first
20 class provides. Lifetime licensees must be certified under the provisions
21 of section 36-413, Idaho Code, before being issued a license to hunt.

22 (f) A license of the eighth class may be had by a person possessing the
23 qualifications therein described on payment of a fee as specified in section
24 36-416, Idaho Code, entitling the purchaser to hunt and fish for game ani-
25 mals, game birds, fish, and unprotected and predatory wildlife of the state.
26 With payment of the required fee, a person shall receive with this license a
27 deer tag, an elk tag, a bear tag, a turkey tag, a mountain lion tag, a wolf
28 tag, an archery hunt permit, a muzzleloader permit, a steelhead trout permit
29 and an anadromous salmon permit. The director shall promptly transmit to the
30 state treasurer all moneys received pursuant to this subsection for deposit
31 as follows:

- 32 (i) ~~Four~~ Five dollars and fifty cents (~~\$4.05~~.50) in the fish and game
33 set-aside account for the purposes of section 36-111(1) (a), Idaho Code;
34 (ii) Two dollars (\$2.00) in the fish and game set-aside account for the
35 purposes of section 36-111(1) (b), Idaho Code;
36 (iii) ~~One~~ Three dollars and fifty cents (~~\$1~~3.50) in the fish and game
37 set-aside account for the purposes of section 36-111(1) (c), Idaho Code;
38 and
39 (iv) The balance in the fish and game account.

40 All persons purchasing a license pursuant to this subsection shall ob-
41 serve and shall be subject to all rules of the commission regarding the fish
42 and wildlife of the state.

43 If the purchaser of this license does not meet the archery education re-
44 quirements of section 36-411(b), Idaho Code, then, notwithstanding the pro-
45 visions of section 36-304, Idaho Code, the archery hunt permit portion of
46 this license is invalid. The fee for this license will not change and the li-
47 cense must be issued without the archery permit validation.

48 (g) Disabled Persons Licenses -- Combination -- Fishing. A license of
49 the first class may be had by any resident disabled person on payment of a
50 fee as specified in section 36-416, Idaho Code, for a combined fishing and

1 hunting license, and a fee as specified in section 36-416, Idaho Code, for a
 2 fishing license, entitling the purchaser to the same privileges as the cor-
 3 responding license of the first class provides. A disabled person means a
 4 person who is deemed disabled by one (1) or more, but not necessarily all,
 5 of the following: the railroad retirement board pursuant to title 45 of the
 6 United States Code, or certified as eligible for federal supplemental secu-
 7 rity income (SSI); or social security disability income (SSDI); or a nonserv-
 8 vice-connected veterans pension; or a service-connected veterans disabili-
 9 ty benefit with forty percent (40%) or more disability; or certified as per-
 10 manently disabled by a physician. Once determination of permanent disabili-
 11 ty has been made with the department, the determination shall remain on file
 12 within the electronic filing system and the license holder shall not be re-
 13 quired to present a physician's determination each year or prove their dis-
 14 ability each year.

15 (h) Military Furlough Licenses -- Combination -- Fishing. A license of
 16 the first class may be had by a resident person engaged in the military ser-
 17 vice of the United States, while on temporary furlough or leave, possessing
 18 the qualifications therein described on payment of a fee as specified in sec-
 19 tion 36-416, Idaho Code, for a combined fishing and hunting license, and as
 20 specified in section 36-416, Idaho Code, for a fishing license.

21 (j*l*) Adult Licenses -- Three Year -- Combination -- Fishing -- Hunting.
 22 A license of the first class may be had by a person possessing the qualifi-
 23 cations therein described on payment of three (3) times the fee as specified
 24 in section 36-416, Idaho Code, for a combined fishing and hunting license en-
 25 titling the purchaser to hunt and fish for game animals, game birds, fish,
 26 and unprotected and predatory wildlife of the state; three (3) times the fee
 27 as specified in section 36-416, Idaho Code, for a fishing license entitling
 28 the purchaser to fish in the public waters of the state; or three (3) times
 29 the fee as specified in section 36-416, Idaho Code, for a hunting license en-
 30 titling the purchaser to hunt game animals, game birds, and unprotected and
 31 predatory wildlife of the state. The expiration date for said licenses shall
 32 be December 31 of the third year following the date of issuance.

33 (k*l*) Junior Licenses -- Three Year -- Hunting. A license of the second
 34 class may be had by a person possessing the qualifications therein described
 35 on payment of three (3) times the fee as specified in section 36-416, Idaho
 36 Code, for a hunting license. The expiration date for said license shall be
 37 December 31 of the third year following the date of issuance.

38 (l*l*) Junior Licenses -- Three Year -- Combination -- Fishing Licenses.
 39 A license of the third class may be purchased by a person possessing the qual-
 40 ifications therein described on payment of three (3) times the fee as spec-
 41 ified in section 36-416, Idaho Code, for a combined fishing and hunting li-
 42 cense and three (3) times the fee as specified in section 36-416, Idaho Code,
 43 for a fishing license entitling the purchaser to the same privileges as the
 44 corresponding license of the first class provides. The expiration date for
 45 said licenses shall be December 31 of the third year following the date of is-
 46 suance.

47 (m*l*) Senior Resident Combination License -- Three Year. A license of
 48 the fourth class may be had by a person possessing the qualifications therein
 49 described on payment of three (3) times the fee as specified in section
 50 36-416, Idaho Code, for a combined fishing and hunting license entitling the

1 purchaser to the same privileges as the corresponding license of the first
2 class provides. The expiration date for said license shall be December 31 of
3 the third year following the date of issuance.

4 (~~nm~~) Disabled Persons Licenses -- Three Year -- Combination -- Fishing.
5 A license of the ninth class may be had by any resident disabled person pos-
6 sessing the qualifications therein described on payment of three (3) times
7 the fee as specified in section 36-416, Idaho Code, for a combined fishing
8 and hunting license, and a fee as specified in section 36-416, Idaho Code,
9 for a fishing license entitling the purchaser to the same privileges as the
10 corresponding license of the first class provides. The expiration date for
11 said licenses shall be December 31 of the third year following the date of is-
12 suance.