

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 155

BY RESOURCES AND CONSERVATION COMMITTEE

AN ACT

1 RELATING TO FISH AND GAME; AMENDING SECTION 36-1407, IDAHO CODE, TO REMOVE  
2 PROCESSING FEE PROVISIONS FOR BLACK BEAR AND TO MAKE A TECHNICAL CORREC-  
3 TION.  
4

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

6 SECTION 1. That Section 36-1407, Idaho Code, be, and the same is hereby  
7 amended to read as follows:

8 36-1407. PROCESSING FEE IMPOSED ON VIOLATORS. (a) In addition to the  
9 penalties provided for violating any of the provisions of title 36, Idaho  
10 Code, any person who pleads guilty, is found guilty, or is convicted of or re-  
11 ceived a withheld judgment for the illegal killing or the illegal possession  
12 or illegal waste of game animals shall be assessed a processing fee as fol-  
13 lows:

14 (1) Moose or elk, two hundred fifty dollars (\$250) per animal killed,  
15 possessed or wasted.

16 (2) Deer, pronghorn antelope, seventy-five dollars (\$75.00) per animal  
17 killed, possessed or wasted.

18 (3) Bighorn sheep, caribou, ~~and~~ mountain goat ~~and black bear~~, one hun-  
19 dred twenty-five dollars (~~\$125.00~~) per animal killed, possessed or  
20 wasted.

21 (b) In every case of a plea of guilty, a finding of guilt, a conviction  
22 or a withheld judgment, the court before whom such plea of guilty, finding of  
23 guilt or conviction is obtained or who enters a withheld judgment shall enter  
24 judgment ordering the defendant to pay the state in a sum or sums as herein-  
25 before set forth including post-judgment interest. If two (2) or more defen-  
26 dants are convicted of the illegal taking, killing or the illegal possession  
27 or wasting of the game animal, such judgment shall be declared against them  
28 jointly and severally.

29 (c) The judgment shall fix the manner and the time of payment. A de-  
30 faulted judgment or any installment payment thereof may be collected by any  
31 means authorized for the enforcement of a judgment under the provisions of  
32 the Idaho Code.

33 (d) All courts ordering such judgments of processing fees shall order  
34 such payments to be made to the department which shall deposit them with the  
35 state treasurer, and the treasurer shall place them in the state fish and  
36 game set-aside account. These fees shall be available for the processing of  
37 the meat of moose, elk, deer, pronghorn antelope, bighorn sheep, caribou,  
38 ~~and~~ mountain goat ~~and black bear~~ which have been illegally taken, acciden-  
39 tally killed, taken as a result of depredation problems or donated by sports-  
40 men. The processed meat thereof shall be distributed by charitable organi-  
41 zations free to needy Idaho residents or utilized by charitable organiza-  
42 tions.