

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 168

BY RESOURCES AND CONSERVATION COMMITTEE

AN ACT

1 RELATING TO FISH AND GAME; AMENDING SECTION 36-111, IDAHO CODE, TO REVISE  
2 MONEYS TO BE DEPOSITED INTO THE FISH AND GAME SET-ASIDE ACCOUNT; AND  
3 AMENDING SECTION 36-406, IDAHO CODE, TO REVISE MONEYS TO BE DEPOSITED  
4 INTO THE FISH AND GAME SET-ASIDE ACCOUNT AND TO MAKE CODIFIER'S CORREC-  
5 TIONS.  
6

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

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

10 36-111. FISH AND GAME SET-ASIDE ACCOUNT. (1) There is hereby estab-  
11 lished the fish and game set-aside account in the dedicated fund. The ac-  
12 count shall have paid into it moneys as follows:

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

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

30 (c) One dollar and fifty cents (\$1.50) from each pronghorn antelope,  
31 elk and deer tag sold as provided in section 36-409, Idaho Code, except  
32 that class 7 tags shall be exempt from this provision. Not less than  
33 seventy-five cents (75¢) of each one dollar and fifty cents (\$1.50) col-  
34 lected shall be placed in a separate account to be designated as a feed-  
35 ing account. Moneys in this account shall be used exclusively for the  
36 purposes of actual supplemental winter feeding of pronghorn antelope,  
37 elk and deer. Moneys shall be used solely for the purchase of blocks,  
38 pellets and hay for such winter feeding purposes and/or for the purchase  
39 of seed or other material that can be shown to directly provide feed or  
40 forage for the winter feeding of pronghorn antelope, elk and deer. The  
41 balance of moneys realized from this source may be used for the control  
42 of depredation of private property by pronghorn antelope, elk and deer

1 and control of predators affecting pronghorn antelope, elk and deer.  
2 Moneys in the feeding account shall not be used for any purpose other  
3 than winter feeding as herein specified. Moneys in the feeding account  
4 may not be expended except upon the declaration of a feeding emergency  
5 by the director of the department of fish and game. Such emergency need  
6 not exist on a statewide basis but can be declared with respect to one  
7 (1) or more regions of the state. The department shall by rule estab-  
8 lish the criteria for a feeding emergency. The department shall submit  
9 a yearly report to the senate resources and environment committee and  
10 the house resources and conservation committee of the legislature on or  
11 before July 31, detailing how funds in the feeding account have been ex-  
12 pended during the preceding fiscal year.

13 (d) Those amounts designated by individuals in accordance with section  
14 63-3067A(3) (a), Idaho Code, and from fees paid under the provisions of  
15 section 49-417, Idaho Code. Moneys from these sources shall be used for  
16 a nongame management and protection program under the direction of the  
17 fish and game commission.

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

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

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

30 36-406. RESIDENT FISHING, HUNTING AND TRAPPING LICENSES -- FEES. (a)  
31 Adult Licenses -- Combination -- Fishing -- Hunting -- Trapping. A license  
32 of the first class may be had by a person possessing the qualifications  
33 therein described on payment of a fee as specified in section 36-416, Idaho  
34 Code, for a combined fishing and hunting license entitling the purchaser  
35 to hunt and fish for game animals, game birds, unprotected and predatory  
36 wildlife and fish of the state, a fee as specified in section 36-416, Idaho  
37 Code, for a fishing license entitling the purchaser to fish in the public  
38 waters of the state, a fee as specified in section 36-416, Idaho Code, for  
39 a hunting license entitling the purchaser to hunt game animals, game birds,  
40 unprotected and predatory wildlife of the state, and a fee as specified in  
41 section 36-416, Idaho Code, for a trapping license entitling the purchaser  
42 to trap wolves, furbearing animals and unprotected and predatory wildlife of  
43 the state.

44 (b) Junior Licenses -- Hunting -- Trapping. A license of the second  
45 class may be had by a person possessing the qualifications therein described  
46 on payment of a fee as specified in section 36-416, Idaho Code, for a hunting  
47 license, and a fee as specified in section 36-416, Idaho Code, for a trapping  
48 license entitling the purchaser to the same privileges as the corresponding  
49 license of the first class provides.

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

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

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

19 (f) A license of the eighth class may be had by a person possessing the  
20 qualifications therein described on payment of a fee as specified in section  
21 36-416, Idaho Code, entitling the purchaser to hunt and fish for game ani-  
22 mals, game birds, fish, and unprotected and predatory wildlife of the state.  
23 With payment of the required fee, a person shall receive with this license a  
24 deer tag, an elk tag, a bear tag, a turkey tag, a mountain lion tag, a wolf  
25 tag, an archery hunt permit, a muzzleloader permit, a steelhead trout permit  
26 and an anadromous salmon permit. The director shall promptly transmit to the  
27 state treasurer all moneys received pursuant to this subsection for deposit  
28 as follows:

- 29 (i) ~~Four~~ Five dollars and fifty cents (~~\$4.00~~5.50) in the fish and game  
30 set-aside account for the purposes of section 36-111(1) (a), Idaho Code;  
31 (ii) Two dollars (\$2.00) in the fish and game set-aside account for the  
32 purposes of section 36-111(1) (b), Idaho Code;  
33 (iii) One dollar and fifty cents (\$1.50) in the fish and game set-aside  
34 account for the purposes of section 36-111(1) (c), Idaho Code; and  
35 (iv) The balance in the fish and game account.

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

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

44 (g) Disabled Persons Licenses -- Combination -- Fishing. A license of  
45 the first class may be had by any resident disabled person on payment of a  
46 fee as specified in section 36-416, Idaho Code, for a combined fishing and  
47 hunting license, and a fee as specified in section 36-416, Idaho Code, for a  
48 fishing license, entitling the purchaser to the same privileges as the cor-  
49 responding license of the first class provides. A disabled person means a  
50 person who is deemed disabled by one (1) or more, but not necessarily all,

1 of the following: the railroad retirement board pursuant to title 45 of the  
2 United States Code, or certified as eligible for federal supplemental secu-  
3 rity income (SSI); or social security disability income (SSDI); or a nonser-  
4 vice-connected veterans pension; or a service-connected veterans disabil-  
5 ity benefit with forty percent (40%) or more disability; or certified as per-  
6 manently disabled by a physician. Once determination of permanent disabil-  
7 ity has been made with the department, the determination shall remain on file  
8 within the electronic filing system and the license holder shall not be re-  
9 quired to present a physician's determination each year or prove their dis-  
10 ability each year.

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

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

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

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

43 (m*l*) Senior Resident Combination License -- Three Year. A license of  
44 the fourth class may be had by a person possessing the qualifications therein  
45 described on payment of three (3) times the fee as specified in section  
46 36-416, Idaho Code, for a combined fishing and hunting license entitling the  
47 purchaser to the same privileges as the corresponding license of the first  
48 class provides. The expiration date for said license shall be December 31 of  
49 the third year following the date of issuance.

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