

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 562

BY RESOURCES AND CONSERVATION COMMITTEE

AN ACT

1 RELATING TO FISH AND GAME; AMENDING SECTION 36-501, IDAHO CODE, TO PROVIDE
2 THAT TRAPPING AND HUNTING LICENSES SHALL ALLOW LICENSE HOLDERS TO
3 SALVAGE FURBEARERS AT ANY TIME.
4

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

6 SECTION 1. That Section 36-501, Idaho Code, be, and the same is hereby
7 amended to read as follows:

8 36-501. SALE AND PURCHASE OF WILDLIFE -- RESTRICTIONS --
9 EXCEPTIONS. No person shall sell or buy any species of wildlife or parts
10 thereof except as hereinafter provided.

11 (a) Sale of Unprotected Wildlife. The sale of legally taken species of
12 wildlife classified as unprotected by law shall be lawful.

13 (b) Sale of Game Animals. The sale of legally taken hides, horns, or
14 heads of game animals, when detached from the carcass, and mounted wildlife,
15 where sale is not specifically prohibited by federal statute or regulation
16 or state statutes, shall be lawful only when the wildlife to be sold is
17 accompanied by a statement showing that the animals were lawfully taken. It
18 shall be lawful to possess or sell naturally shed antlers or horns of deer,
19 elk, moose, antelope and mountain goat, and antlers or horns of deer, elk,
20 moose, antelope and mountain goat which have died from natural causes.

21 (c) Sale of Furbearers. The sale of pelts and parts of furbearers when
22 legally taken shall be lawful. A trapping or hunting license shall allow
23 license holders to salvage furbearers at any time, whether in season or out
24 of season.

25 (d) Sale of Seized Wildlife. The sale and purchase of court
26 confiscated, abandoned, or unclaimed wildlife shall be lawful when
27 made in accordance with the provisions of section 36-1304, Idaho Code.

28 (e) Sale of Commercially Raised or Harvested Wildlife. The sale of
29 wildlife legally raised or harvested commercially by properly licensed
30 commercial operations, if required to be licensed, shall be lawful except
31 as provided by rules promulgated pursuant to section 36-104(b)6., Idaho
32 Code. The provisions of this section shall not apply to domestic fur-bearing
33 animals as defined in chapter 30, title 25, Idaho Code.

34 (f) Sale of Steelhead Trout.

35 1. Any person holding a wholesale steelhead trout buyer's license may
36 purchase or sell steelhead trout in the state of Idaho that have been
37 taken by Indian fishermen lawfully exercising fishing rights reserved
38 by federal statute, treaty or executive order, provided that the Indian
39 fisherman is an enrolled member of the tribe holding such rights and
40 the code of such tribe authorizes such sales. A wholesale license is
41 necessary to purchase steelhead trout directly from Indian fishermen

1 or from any other seller whose principal place of business is located
2 outside of the state of Idaho.

3 2. Any person holding a retail steelhead trout buyer's license may
4 purchase steelhead trout in the state of Idaho from an Idaho licensed
5 wholesale steelhead trout buyer, or from any Indian fisherman lawfully
6 exercising fishing rights authorized by federal statute, treaty, or
7 executive order. A licensed retail steelhead trout buyer may sell
8 steelhead trout directly to the consumer or to an establishment that
9 prepares steelhead trout for consumption.

10 3. Establishments that prepare steelhead trout for consumption must
11 possess a wholesale or retail steelhead trout buyer's license; however,
12 these licensed establishments may purchase steelhead trout from either
13 wholesale or retail licensed steelhead trout buyers.

14 4. The fee for a wholesale license shall be as specified in section
15 36-416, Idaho Code, per year. The fee for a retail license shall be as
16 specified in section 36-416, Idaho Code, per year. These licenses shall
17 expire December 31 of the year for which they are valid.

18 5. No license is required for any person purchasing steelhead trout
19 for personal consumption from a licensed wholesale or retail steelhead
20 trout buyer or from an Indian fisherman lawfully exercising fishing
21 rights authorized by federal statute, treaty, executive order, or
22 tribal code or regulation.

23 6. Purchases or sales under this section shall be made under conditions
24 and reporting requirements prescribed by commission regulation,
25 provided that said conditions and reporting requirements are limited to
26 those necessary to identify the source of steelhead purchased.

27 Any person violating the provisions of this subsection shall be found
28 guilty as provided in section 36-1401, Idaho Code, and shall be punished as
29 set forth in section 36-1402, Idaho Code.

30 (g) Commission May Permit Sales. The commission may, by rule, permit
31 the sale of other parts of wildlife when such sale will not injuriously
32 affect the species permitted.