

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 396

BY RESOURCES AND CONSERVATION COMMITTEE

AN ACT

1 RELATING TO SHOOTING RANGES; AMENDING SECTION 36-104, IDAHO CODE, TO PROVIDE
2 ADDITIONAL POWERS AND DUTIES OF THE FISH AND GAME COMMISSION AND TO MAKE
3 TECHNICAL CORRECTIONS; AMENDING SECTION 36-106, IDAHO CODE, TO PROVIDE
4 THAT THE DIRECTOR OF THE DEPARTMENT OF FISH AND GAME SHALL CONSULT WITH
5 OTHER AGENCIES TO IDENTIFY SUITABLE LAND FOR SHOOTING RANGES AND TO MAKE
6 TECHNICAL CORRECTIONS; REPEALING SECTION 36-412A, IDAHO CODE, RELAT-
7 ING TO CERTAIN EDUCATION PROGRAMS AND MONEYS PROVIDED TO LOCAL SHOOTING
8 RANGES; AND AMENDING CHAPTER 4, TITLE 36, IDAHO CODE, BY THE ADDITION
9 OF A NEW SECTION 36-418, IDAHO CODE, TO PROVIDE FOR THE PUBLIC SHOOTING
10 RANGE FUND.
11

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

13 SECTION 1. That Section 36-104, Idaho Code, be, and the same is hereby
14 amended to read as follows:

15 36-104. GENERAL POWERS AND DUTIES OF COMMISSION. (a) Organization --
16 Meetings. The members of the commission shall annually meet at their of-
17 fices and organize by electing from their membership a chairman, who shall
18 hold office for a period of one (1) year, or until his successor has been
19 duly elected. In addition to the regular annual meeting, to be held in Jan-
20 uary, said commission shall hold other regular quarterly meetings each year
21 at such places within the state as the commission shall select for the trans-
22 action of business. Special meetings may be called at any time and place by
23 the chairman or a majority of the members of the commission. Notice of the
24 time, place and purpose of any and all special meetings shall be given by the
25 secretary to each member of the commission prior to said meeting.

26 (b) Authorization for Commission Powers and Duties. For the purpose of
27 administering the policy as declared in section 36-103, Idaho Code, the com-
28 mission is hereby authorized and empowered to:

29 1. Investigate and find facts regarding the status of the state's
30 wildlife populations in order to give effect to the policy of the state
31 hereinbefore announced.

32 2. Hold hearings for the purpose of hearing testimony, considering
33 evidence and determining the facts as to when the supply of any of
34 the wildlife in this state will be injuriously affected by the taking
35 thereof, or for the purpose of determining when an open season may be
36 declared for the taking of wildlife. Whenever said commission deter-
37 mines that the supply of any particular species of wildlife is being,
38 or will be, during any particular period of time, injuriously affected
39 by depletion by permitting the same to be taken, or if it should find a
40 longer or different season, or different bag limit should be adopted for
41 the better protection thereof, or if it finds that an open season may be
42 declared without endangering the supply thereof, then it shall make a

1 rule or proclamation embodying its findings in respect to when, under
2 what circumstances, in which localities, by what means, what sex, and in
3 what amounts and numbers the wildlife of this state may be taken.

4 3. Whenever it finds it necessary for the preservation, protection, or
5 management of any wildlife of this state, by reason of any act of God
6 or any other sudden or unexpected emergency, declare by temporary rule
7 or proclamation the existence of such necessity, and the cause thereof,
8 and prescribe and designate all affected areas or streams, and close the
9 same to hunting, angling or trapping, or impose such restrictions and
10 conditions upon hunting, angling or trapping as said commission shall
11 find to be necessary. Every such temporary rule shall be made in accor-
12 dance with the provisions of chapter 52, title 67, Idaho Code.

13 4. At any time it shall deem necessary for the proper management of
14 wildlife on any game preserve in the state of Idaho, declare an open
15 season in any game preserve as it deems appropriate.

16 5. (A) Upon notice to the public, cause to be held pursuant to the
17 provisions of section 36-104A, Idaho Code, a drawing giving to li-
18 cense holders, under the wildlife laws of this state, the privi-
19 lege of drawing by lot for a controlled hunt permit or tag autho-
20 rizing the person to whom issued to hunt, kill, or attempt to kill
21 any species of wild animals or birds designated by the commission
22 under such rules as it shall prescribe.

23 (B) The commission may, under rules or proclamations as it
24 may prescribe, authorize the director to issue additional con-
25 trolled hunt permits or tags and collect fees therefor authorizing
26 landowners of property valuable for habitat or propagation pur-
27 poses of deer, elk, antelope, bear or turkey, or the landowner's
28 designated agent(s) to hunt deer, elk, antelope, bear or turkey in
29 controlled hunts containing the eligible property owned by those
30 landowners in units where any permits or tags for deer, elk, ante-
31 lope, bear or turkey are limited.

32 (C) A nonrefundable fee as specified in section 36-416, Idaho
33 Code, shall be charged each applicant for a controlled hunt per-
34 mit or tag. Successful applicants for controlled hunt permits or
35 tags shall be charged the fee as specified in section 36-416, Idaho
36 Code. Additionally, a fee may be charged for telephone and credit
37 card orders in accordance with subsection (e)11. of section
38 36-106, Idaho Code. The department shall include a checkoff form
39 to allow applicants to designate one dollar (\$1.00) of such non-
40 refundable application fee for transmittal to the reward fund of
41 citizens against poaching, inc., an Idaho nonprofit corporation.
42 The net proceeds from the nonrefundable fee shall be deposited in
43 the fish and game account and none of the net proceeds shall be used
44 to purchase lands.

45 (D) The commission may by rule establish procedures relating to
46 the application for the purchase of controlled hunt bonus or pref-
47 erence points by sportsmen and the fee for such application shall
48 be as specified in section 36-416, Idaho Code.

49 6. Adopt rules pertaining to the importation, exportation, release,
50 sale, possession or transportation into, within or from the state of

1 Idaho of any species of live, native or exotic wildlife or any eggs
2 thereof.

3 7. Acquire for and on behalf of the state of Idaho, by purchase, condem-
4 nation, lease, agreement, gift, or other device, lands or waters suit-
5 able for the purposes hereinafter enumerated in this paragraph. When-
6 ever the commission proposes to purchase a tract of land in excess of
7 fifteen (15) acres, the commission shall notify the board of county com-
8 missioners of the county where this land is located of the intended ac-
9 tion. The board of county commissioners shall have ten (10) days after
10 official notification to notify the commission whether or not they de-
11 sire the commission to hold a public hearing on the intended purchase
12 in the county. The commission shall give serious consideration to all
13 public input received at the public hearing before making a final deci-
14 sion on the proposed acquisition. Following any land purchase, the fish
15 and game commission shall provide, upon request by the board of county
16 commissioners, within one hundred twenty (120) days, a management plan
17 for the area purchased that would address noxious weed control, fenc-
18 ing, water management and other important issues raised during the pub-
19 lic hearing. When considering purchasing lands pursuant to this para-
20 graph, the commission shall first make a good faith attempt to obtain a
21 conservation easement, as provided in chapter 21, title 55, Idaho Code,
22 before it may begin proceedings to purchase, condemn or otherwise ac-
23 quire such lands. If the attempt to acquire a conservation easement is
24 unsuccessful and the commission then purchases, condemns or otherwise
25 acquires the lands, the commission shall record in writing the reasons
26 why the attempt at acquiring the conservation easement was unsuccess-
27 ful and then file the same in its records and in a report to the joint
28 finance-appropriations committee. The commission shall develop, oper-
29 ate, and maintain the lands, waters or conservation easements for said
30 purposes, which are hereby declared a public use:

31 (A) For fish hatcheries, nursery ponds, or game animal or game
32 bird farms;

33 (B) For game, bird, fish or fur-bearing animal restoration, prop-
34 agation or protection;

35 (C) For public hunting, fishing or trapping areas to provide
36 places where the public may fish, hunt, or trap in accordance with
37 the provisions of law, or the regulation of the commission;

38 (D) For public shooting ranges to provide places where the public
39 may engage in target shooting, training, and competition.

40 (E) To extend and consolidate, by exchange, lands or waters suit-
41 able for the above said purposes.

42 8. Enter into cooperative agreements with educational institutions,
43 and state, federal, or other agencies to promote wildlife research and
44 to train students for wildlife management.

45 9. Enter into cooperative agreements with state and federal agencies,
46 municipalities, corporations, organized groups of landowners, associ-
47 ations, and individuals for the development of wildlife rearing, propa-
48 gating, management, protection and demonstration projects.

49 10. In the event owners or lawful possessors of land have restricted the
50 operation of motor-propelled vehicles upon their land, the commission,

1 upon consultation with all other potentially affected landowners, and
 2 having held a public hearing, if requested by not less than ten (10) res-
 3 idents of any county in which the land is located, may enter into coop-
 4 erative agreements with those owners or possessors to enforce those re-
 5 strictions when the restrictions protect wildlife or wildlife habitat.
 6 Provided, however, the commission shall not enter into such agreements
 7 for lands ~~which~~ that either lie outside or are not adjacent to any ad-
 8 joining the proclaimed boundaries of the national forests in Idaho.

9 (A) The landowners, with the assistance of the department, shall
 10 cause notice of the restrictions, including the effective date
 11 thereof, to be posted on the main traveled roads entering the areas
 12 to which the restrictions apply. Provided, however, that nothing
 13 in this subsection shall allow the unlawful posting of signs or
 14 other information on or adjacent to public highways as defined in
 15 subsection (5) of section 40-109, Idaho Code.

16 (B) Nothing in this section authorizes the establishment of any
 17 restrictions that impede normal forest or range management opera-
 18 tions.

19 (C) No person shall violate such restrictions on the use of motor-
 20 propelled vehicles or tear down or lay down any fencing or gates
 21 enclosing such a restricted area or remove, mutilate, damage or
 22 destroy any notices, signs or markers giving notice of such re-
 23 strictions. The commission may promulgate rules to administer the
 24 restrictions and cooperative agreements addressed in this subsec-
 25 tion.

26 11. Capture, propagate, transport, buy, sell or exchange any species
 27 of wildlife needed for propagation or stocking purposes, or to exercise
 28 control of undesirable species.

29 12. Adopt rules pertaining to the application for, issuance of and ad-
 30 ministration of a lifetime license certificate system.

31 13. Adopt rules governing the application and issuance of permits for
 32 and administration of fishing contests on waters under the jurisdiction
 33 of the state. The fee for each permit shall be as provided for in section
 34 36-416, Idaho Code.

35 14. Adopt rules governing the application for and issuance of licenses
 36 by telephone and other electronic methods.

37 15. Enter into agreements with cities, counties, recreation districts
 38 or other political subdivisions for the lease of lands or waters, in
 39 accordance with all other applicable laws, including applicable pro-
 40 visions of titles 42 and 43, Idaho Code, to cost-effectively provide
 41 recreational opportunities for taxpayers or residents of those local
 42 governments or political subdivisions.

43 16. Adopt rules governing a mentored hunting program.

44 17. Enter into agreements with and assist counties, cities, recreation
 45 districts, other political subdivisions, and nonprofit clubs or asso-
 46 ciations in locating or relocating shooting ranges.

47 (c) Limitation on Powers. Nothing in this title shall be construed to
 48 authorize the commission to change any penalty prescribed by law for a viola-
 49 tion of its provisions, or to change the amount of license fees or the author-
 50 ity conferred by licenses prescribed by law.

1 (d) Organization of Work. The commission shall organize the depart-
2 ment, in accordance with the provisions of title 67, Idaho Code, into admin-
3 istrative units as may be necessary to efficiently administer said depart-
4 ment. All employees of the department except the director shall be selected
5 and appointed by the director in conformance with the provisions of chapter
6 53, title 67, Idaho Code.

7 SECTION 2. That Section 36-106, Idaho Code, be, and the same is hereby
8 amended to read as follows:

9 36-106. DIRECTOR OF DEPARTMENT OF FISH AND GAME. (a) Office of Direc-
10 tor Created. The commission shall appoint a director of the department of
11 fish and game, hereinafter referred to as the director, who shall be a person
12 with knowledge of, and experience in, the requirements for the protection,
13 conservation, restoration, and management of the wildlife resources of the
14 state. The director shall not hold any other public office, nor any office
15 in any political party organization, and shall devote his entire time to the
16 service of the state in the discharge of his official duties, under the di-
17 rection of the commission.

18 (b) Secretary to Commission. The director or his designee shall serve
19 as secretary to the commission.

20 (c) Compensation and Expenses. The director shall receive such compen-
21 sation as the commission, with the concurrence and approval of the governor,
22 may determine and shall be reimbursed at the rate provided by law for state
23 employees for all actual and necessary traveling and other expenses incurred
24 by him in the discharge of his official duties.

25 (d) Oath and Bond. Before entering upon the duties of his office, the
26 director shall take and subscribe to the official oath of office, as provided
27 by section 59-401, Idaho Code, and shall, in addition thereto, swear and af-
28 firm that he holds no other public office, nor any position under any polit-
29 ical committee or party. Such oath, or affirmation, shall be signed in the
30 office of the secretary of state.

31 The director shall be bonded to the state of Idaho in the time, form and
32 manner prescribed by chapter 8, title 59, Idaho Code.

33 (e) Duties and Powers of Director.

34 1. The director shall have general supervision and control of all
35 activities, functions, and employees of the department of fish and
36 game, under the supervision and direction of the commission, and shall
37 enforce all the provisions of the laws of the state, and rules and
38 proclamations of the commission relating to wild animals, birds, and
39 fish and, further, shall perform all the duties prescribed by section
40 67-2405, Idaho Code, and other laws of the state not inconsistent with
41 this act, and shall exercise all necessary powers incident thereto not
42 specifically conferred on the commission.

43 2. The director is hereby authorized to appoint as many classified em-
44 ployees as the commission may deem necessary to perform administrative
45 duties, to enforce the laws and to properly implement management, prop-
46 agation, and protection programs established for carrying out the pur-
47 poses of the Idaho fish and game code.

48 3. The appointment of such employees shall be made by the director in
49 accordance with chapter 53, title 67, Idaho Code, and rules promulgated

1 pursuant thereto, and they shall be compensated as provided therein.
2 Said employees shall be bonded to the state of Idaho in the time, form,
3 and manner prescribed by chapter 8, title 59, Idaho Code.

4 4. The director is hereby authorized to establish and maintain fish
5 hatcheries for the purpose of hatching, propagating, and distributing
6 all kinds of fish.

7 5. (A) The director, or any person appointed by him in writing to do
8 so, may take wildlife of any kind, dead or alive, or import the
9 same, subject to such conditions, restrictions and rules as he may
10 provide, for the purpose of inspection, cultivation, propagation,
11 distribution, scientific or other purposes deemed by him to be of
12 interest to the fish and game resources of the state.

13 (B) The director shall have supervision over all of the matters
14 pertaining to the inspection, cultivation, propagation and dis-
15 tribution of the wildlife propagated under the provisions of ti-
16 tle 36, Idaho Code. He shall also have the power and authority to
17 obtain, by purchase or otherwise, wildlife of any kind or variety
18 which he may deem most suitable for distribution in the state and
19 may have the same properly cared for and distributed throughout
20 the state of Idaho as he may deem necessary.

21 (C) The director is hereby authorized to issue a license/tag/per-
22 mit to a nonresident landowner who resides in a contiguous state
23 for the purpose of taking one (1) animal during an emergency depre-
24 dation hunt which includes the landowner's Idaho property subject
25 to such conditions, restrictions or rules as the director may pro-
26 vide. The fee for this license/tag/permit shall be equal to the
27 costs of a resident hunting license, a resident tag fee and a resi-
28 dent depredation permit.

29 (D) Unless relocation is required pursuant to subparagraph (E)
30 herein, notwithstanding the provisions of section 36-408, Idaho
31 Code, to the contrary, the director shall not expend any funds, or
32 take any action, or authorize any employee or agent of the depart-
33 ment or other person to take any action, to undertake actual trans-
34 plants of bighorn sheep into areas they do not now inhabit for the
35 purpose of augmenting existing populations until:

36 (i) The boards of county commissioners of the counties in
37 which the release is proposed to take place have been given
38 reasonable notice of the proposed release.

39 (ii) The affected federal and state land grazing permittees
40 and owners or leaseholders of private land in or contiguous
41 to the proposed release site have been given reasonable no-
42 tice of the proposed release.

43 (iii) The president pro tempore of the senate and the speaker
44 of the house of representatives have received from the di-
45 rector a plan for the forthcoming year that details, to the
46 best of the department's ability, the proposed transplants
47 which shall include the estimated numbers of bighorn sheep
48 to be transplanted and a description of the areas the pro-
49 posed transplant or transplants are planned for.

1 Upon request, the department shall grant one (1) hearing per
2 transplant or relocation if any affected individual or entity
3 expresses written concern within ten (10) days of notification re-
4 garding any transplants or relocations of bighorn sheep and shall
5 take into consideration these concerns in approving, modifying or
6 canceling any proposed bighorn sheep transplant or relocation.
7 Any such hearing shall be held within thirty (30) days of the re-
8 quest. It is the policy of the state of Idaho that existing sheep
9 or livestock operations in the area of any bighorn sheep trans-
10 plant or relocation are recognized and that the potential risk,
11 if any, of disease transmission and loss of bighorn sheep when the
12 same invade domestic livestock or sheep operations is accepted.
13 Prior to any transplant or relocation of bighorn sheep into ar-
14 eas they do not now inhabit or a transplant or relocation for the
15 purpose of augmenting existing populations, the department shall
16 provide for any affected federal or state land grazing permittees
17 or owners or leaseholders of private land a written agreement
18 signed by all federal, state and private entities responsible for
19 the transplant or relocation stating that the existing sheep or
20 livestock operations in the area of any such bighorn sheep trans-
21 plant or relocation are recognized and that the potential risk,
22 if any, of disease transmission and loss of bighorn sheep when the
23 same invade domestic livestock or sheep operations is accepted.

24 (E) The Idaho department of fish and game: (1) shall develop a
25 state management plan to maintain a viable, self-sustaining pop-
26 ulation of bighorn sheep in Idaho which shall consider as part
27 of the plan the current federal or state domestic sheep grazing
28 allotment(s) that currently have any bighorn sheep upon or in
29 proximity to the allotment(s); (2) within ninety (90) days of the
30 effective date of this act will cooperatively develop best manage-
31 ment practices with the permittee(s) on the allotment(s). Upon
32 commencement of the implementation of best management practices,
33 the director shall certify that the risk of disease transmission,
34 if any, between bighorn and domestic sheep is acceptable for the
35 viability of the bighorn sheep. The director's certification
36 shall continue for as long as the best management practices are
37 implemented. The director may also certify that the risk of dis-
38 ease transmission, if any, between bighorn and domestic sheep
39 is acceptable for the viability of the bighorn sheep based upon
40 a finding that other factors exist, including but not limited
41 to previous exposure to pathogens that make separation between
42 bighorn and domestic sheep unnecessary.

- 43 6. (A) The director shall have the power, at any time when it is de-
44 sired to introduce any new species, or if at any time any species
45 of wildlife of the state of Idaho shall be threatened with exces-
46 sive shooting, trapping, or angling or otherwise, to close any
47 open season or to reduce the bag limit or possession limit for such
48 species for such time as he may designate; in the event an emer-
49 gency is declared to exist, such closure shall become effective
50 forthwith upon written order of the director; in all other cases,

1 upon publication and posting as provided in section 36-105, Idaho
2 Code.

3 (B) (i) In order to protect property from damage by wildlife, in-
4 cluding bear and turkey, the fish and game commission may delegate
5 to the director or his designee the authority to declare an open
6 season upon that particular species of wildlife to reduce its pop-
7 ulation. The director or his designee shall make an order embody-
8 ing his findings in respect to when, under what circumstances, in
9 which localities, by what means, and in what amounts, numbers and
10 sex the wildlife subject to the hunt may be taken. In the event
11 an emergency is declared to exist, such open season shall become
12 effective forthwith upon written order of the director or his de-
13 signee; in all other cases, upon publication and posting as pro-
14 vided in section 36-105, Idaho Code.

15 (ii) In the event a kill permit is issued by the director or his de-
16 signee, the individual or landowner with the kill permit, in con-
17 junction with their responsibility for field dressing the animals
18 taken, may keep one (1) animal for their personal use. In the event
19 the director or his designee issues a subsequent kill permit for
20 the same individual or landowner due to continued depredation, the
21 director or his designee may authorize the individual or landowner
22 to keep a second subsequently taken animal for their personal use.

23 (C) Any season closure order issued under authority hereof shall
24 be published in at least one (1) newspaper of general circulation
25 in the area affected by the order for at least once a week for two
26 (2) consecutive weeks, and such order shall be posted in public
27 places in each county as the director may direct.

28 (D) During the closure of any open season or the opening of any
29 special depredation season by the director, all provisions of laws
30 relating to the closed season or the special depredation season
31 on such wildlife shall be in force and whoever violates any of the
32 provisions shall be subject to the penalties prescribed therefor.

33 (E) Prior to the opening of any special depredation hunt, the di-
34 rector or his designee shall be authorized to provide up to a max-
35 imum of fifty percent (50%) of the available permits for such big
36 game to the landholder(s) of privately owned land within the hunt
37 area or his designees. If the landholder(s) chooses to designate
38 hunters, he must provide a written list of the names of designated
39 individuals to the department. If the landholder(s) fails to des-
40 ignate licensed hunters, then the department will issue the total
41 available permits in the manner set by rule. All hunters must have
42 a current hunting license and shall have equal access to both pub-
43 lic and private lands within the hunt boundaries. It shall be un-
44 lawful for any landholder(s) to receive any form of compensation
45 from a person who obtains or uses a depredation controlled hunt
46 permit.

47 7. The director shall make an annual report to the governor, the legis-
48 lature, and the secretary of state, of the doings and conditions of his
49 office.

1 8. The director may sell or cause to be sold publications and materials
2 in accordance with section 59-1012, Idaho Code.

3 9. Any deer, elk, antelope, moose, bighorn sheep or bison imported or
4 transported by the department of fish and game shall be tested for the
5 presence of certain communicable diseases that can be transmitted to
6 domestic livestock. Those communicable diseases to be tested for shall
7 be arrived at by mutual agreement between the department of fish and
8 game and the department of agriculture. Any moneys expended by the de-
9 partment of fish and game on wildlife disease research shall be mutually
10 agreed upon by the department of fish and game and the department of
11 agriculture.

12 In addition, a comprehensive animal health program for all deer, elk,
13 antelope, moose, bighorn sheep, or bison imported into, transported, or
14 resident within the state of Idaho shall be implemented after said pro-
15 gram is mutually agreed upon by the department of fish and game and the
16 department of agriculture.

17 10. In order to monitor and evaluate the disease status of wildlife and
18 to protect Idaho's livestock resources, any suspicion by fish and game
19 personnel of a potential communicable disease process in wildlife shall
20 be reported within twenty-four (24) hours to the department of agricul-
21 ture. All samples collected for disease monitoring or disease evalu-
22 ation of wildlife shall be submitted to the division of animal indus-
23 tries, department of agriculture.

24 11. (A) The director is authorized to enter into an agreement with an
25 independent contractor for the purpose of providing a telephone
26 order and credit card payment service for controlled hunt permits,
27 licenses, tags, and permits.

28 (B) The contractor may collect a fee for its service in an amount
29 to be set by contract.

30 (C) All moneys collected for the telephone orders of such li-
31 censes, tags, and permits shall be and remain the property of the
32 state, and such moneys shall be directly deposited by the con-
33 tractor into the state treasurer's account in accordance with the
34 provisions of section 59-1014, Idaho Code. The contractor shall
35 furnish a good and sufficient surety bond to the state of Idaho in
36 an amount sufficient to cover the amount of the telephone orders
37 and potential refunds.

38 (D) The refund of moneys for unsuccessful controlled hunt permit
39 applications and licenses, tags, and permits approved by the de-
40 partment may be made by the contractor crediting the applicant's
41 or licensee's credit card account.

42 12. The director may define activities or facilities that primarily
43 provide a benefit: to the department; to a person; for personal use; to
44 a commercial enterprise; or for a commercial purpose.

45 13. The director shall consult with other agencies to identify eligible
46 land suitable for the location or relocation of shooting ranges.

47 SECTION 3. That Section [36-412A](#), Idaho Code, be, and the same is hereby
48 repealed.

1 SECTION 4. That Chapter 4, Title 36, Idaho Code, be, and the same is
2 hereby amended by the addition thereto of a NEW SECTION, to be known and des-
3 ignated as Section 36-418, Idaho Code, and to read as follows:

4 36-418. PUBLIC SHOOTING RANGE FUND. (1) It is the intent of the leg-
5 islature that public shooting ranges shall be established and preserved
6 throughout the state for the training and enjoyment of the citizens.

7 (2) The state public shooting range fund is hereby established. The
8 commission shall administer the fund and shall annually prepare a report to
9 the legislature detailing the revenues and expenditures of the fund.

10 (3) The fund shall consist of:

11 (a) Fines and forfeitures remitted for violations of fish and game laws
12 pursuant to section 19-4705, Idaho Code;

13 (b) Revenues, unless otherwise prohibited by law, derived from the sale
14 or lease of real property owned by the commission and acquired for or
15 used for the purpose of providing public shooting ranges and moneys re-
16 ceived from the sale of goods and services from commission-owned shoot-
17 ing ranges;

18 (c) Gifts, grants, or other contributions; and

19 (d) Such other funds as the legislature shall appropriate.

20 (4) Moneys in the fund are continuously appropriated and shall be used
21 for purposes enumerated in this chapter. Interest earned on moneys in the
22 fund shall be credited to the fund.

23 (5) The commission shall determine the amount available to distribute
24 under this section, the distributions, and the recipients. Distributions
25 from the fund may be made to shooting ranges open to the public and operated
26 by government or nonprofit entities for the following purposes:

27 (a) Shooting range engineering and studies;

28 (b) Noise abatement;

29 (c) Safety enhancement;

30 (d) Shooting range design;

31 (e) New shooting range sites and construction;

32 (f) Shooting range relocation; and

33 (g) Other projects that are necessary to enhance or preserve a shooting
34 range under good practices and management.

35 (6) The director shall appoint a committee to act in an advisory ca-
36 pacity to the department on matters relating to evaluation of applications
37 for grants to be awarded from the public shooting range fund according to the
38 purposes enumerated in this section. The committee shall include represen-
39 tation by active recreational shooters.