

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 416

BY RESOURCES AND CONSERVATION COMMITTEE

AN ACT

RELATING TO FISH AND GAME; AMENDING SECTION 36-1202, IDAHO CODE, TO PROVIDE THAT IT SHALL BE UNLAWFUL TO WASTE EDIBLE PORTIONS OF ANY GAME ANIMAL, TO PROVIDE EXCEPTIONS, TO DEFINE TERMS, TO DELETE REFERENCE TO ALL CARNIVORES BUT BLACK BEAR AND TO REVISE PRIMA FACIE EVIDENCE PROVISIONS.

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

SECTION 1. That Section 36-1202, Idaho Code, be, and the same is hereby amended to read as follows:

36-1202. WASTEFUL DESTRUCTION OF WILDLIFE OR MUTILATION UNLAWFUL. ~~It is a misdemeanor for any person shall be unlawful to:~~

(a) Waste. Through carelessness, neglect or otherwise, to allow or cause the waste of edible portions of any game bird, game animal or game fish or any portion thereof usually eaten by humans animal, except for mountain lion, black bear or gray wolf. "Edible portions" are defined as follows:

1. Game birds. Breasts;

2. Big game animals. Hind quarters, front quarters, loins and tenderloins;

3. Game fish. Fillets of fish, hind legs of bullfrogs and tails of crayfish;

4. Upland game animals. Hind legs, front legs and loins of rabbits and hares.

(b) Destruction -- Mutilation. Capture or kill any game animal, ~~except all carnivores but black bear,~~ and detach or remove from the carcass only the head, hide, antlers, horns or tusks and leave the ~~carcass~~ edible portions to waste, except mountain lion, black bear or gray wolf.

(c) Prima Facie. It shall be prima facie evidence of a violation of the provisions of this section:

1. To fail to properly dress and care for any game animal ~~except all carnivores but black bear~~ killed by him, except mountain lion, black bear or gray wolf; and

2. ~~If the carcass is~~ edible portions described in subsection (a) of this section are reasonably accessible, ~~failure, to fail~~ to take or transport same to his camp within twenty-four (24) hours ~~shall be prima facie evidence of a violation of the provisions of this section.~~

(d) Livestock owners, their employees, agents and animal damage control personnel in protecting livestock as provided in subsection (b) of section 36-1107, Idaho Code, are exempt from subsections (b) and (c) of this section.

(e) For purposes of this section, the term "game animal" shall mean game birds, big game animals, upland game animals and game fish.