

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 532, As Amended

BY RESOURCES AND CONSERVATION COMMITTEE

AN ACT

1
2 RELATING TO FISH AND GAME; AMENDING SECTION 36-111, IDAHO CODE, TO PROVIDE
3 FOR MONEYS RECEIVED FROM THE SALE OF CONSERVATION PERMITS; AMENDING
4 CHAPTER 4, TITLE 36, IDAHO CODE, BY THE ADDITION OF A NEW SECTION
5 36-409B, IDAHO CODE, TO AUTHORIZE THE FISH AND GAME COMMISSION TO PRO-
6 MULGATE RULES RELATING TO THE ENTRY UPON CERTAIN DEPARTMENT LANDS AND TO
7 PROVIDE FOR CONSERVATION PERMITS; AMENDING SECTION 36-416, IDAHO CODE,
8 TO PROVIDE FOR FEES FOR CONSERVATION PERMITS; AND AMENDING SECTION
9 36-1401, IDAHO CODE, TO PROVIDE THAT CERTAIN CONDUCT SHALL CONSTITUTE
10 AN INFRACTION.

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

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

14 36-111. FISH AND GAME SET-ASIDE ACCOUNT. (1) There is hereby estab-
15 lished the fish and game set-aside account in the dedicated fund. The ac-
16 count shall have paid into it moneys as follows:

17 (a) Four dollars (\$4.00) of each steelhead trout or anadromous salmon
18 permit sold. Moneys from this source shall be used for the acquisition,
19 development and maintenance of parking areas, access sites, boat ramps
20 and sanitation facilities in salmon and steelhead fishing areas, for
21 management of and research on steelhead trout and anadromous salmon
22 problems, and for technical assistance with litigation concerning
23 steelhead and anadromous salmon originating in Idaho.

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

33 (c) One dollar and fifty cents (\$1.50) from each antelope, elk and
34 deer tag sold as provided in section 36-409, Idaho Code. Not less than
35 seventy-five cents (75¢) of each one dollar and fifty cents (\$1.50)
36 collected shall be placed in a separate account to be designated as a
37 feeding account. Moneys in this account shall be used exclusively for
38 the purposes of winter feeding of and rehabilitation of winter range
39 for antelope, elk and deer. The balance of moneys realized from this
40 source may be used for the control of depredation of private property
41 by antelope, elk and deer and control of predators affecting antelope,
42 elk and deer. Moneys in the feeding account shall not be used for any

1 purpose other than winter feeding as herein specified until the total
2 funds in the account, including any interest earnings thereon, equal or
3 exceed four hundred thousand dollars (\$400,000). Moneys in the feeding
4 account may not be expended except upon the declaration of a feeding
5 emergency by the director of the department of fish and game. Such
6 emergency need not exist on a statewide basis but can be declared with
7 respect to one (1) or more regions of the state. The department shall by
8 rule establish the criteria for a feeding emergency.

9 (d) Those amounts designated by individuals in accordance with section
10 63-3067A(3) (a), Idaho Code, and from fees paid under the provisions of
11 section 49-417, Idaho Code. Moneys from these sources shall be used for
12 a nongame management and protection program under the direction of the
13 fish and game commission.

14 (e) Unless inconsistent with funding or management agreements di-
15 recting program income, forty percent (40%) of moneys received, in
16 accordance with section 36-409B, Idaho Code, shall be used for the main-
17 tenance and operation of department owned, leased or managed sites, not
18 including those private lands enrolled in ACCESS YES; twenty percent
19 (20%) shall be used for development and implementation of noxious weed
20 biological control; and the remainder may be used for the department's
21 nongame program or for the purposes stated in this paragraph (e).

22 (f) Money derived from the assessment of processing fees. Moneys
23 derived from this source shall be used as provided in section 36-1407,
24 Idaho Code.

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

32 SECTION 2. That Chapter 4, Title 36, Idaho Code, be, and the same is
33 hereby amended by the addition thereto of a NEW SECTION, to be known and des-
34 ignated as Section 36-409B, Idaho Code, and to read as follows:

35 36-409B. ACCESS TO DEPARTMENT LANDS. The commission is authorized
36 to promulgate rules specifying department lands for which a conservation
37 permit, hunting, fishing or trapping license is required for entry and
38 establishing exceptions to such requirements. Exceptions shall include,
39 but not be limited to, providing that a conservation license shall not be
40 required for those under eighteen (18) years of age and that only one (1)
41 adult hunting, fishing, trapping or conservation license holder accompa-
42 nying their immediate family shall be required to allow the family to enter
43 selected Idaho department of fish and game lands. A conservation permit may
44 be had by a resident or nonresident upon payment of a fee as specified in
45 section 36-416, Idaho Code.

1 SECTION 3. That Section 36-416, Idaho Code, be, and the same is hereby
2 amended to read as follows:

3 36-416. SCHEDULE OF LICENSE FEES.

4 (a) Sport Licenses

5 License	Resident	Non-Resident
6 Combination License	\$ 31.75	\$ 238.25
7 Hunting License	11.00	153.00
8 Fishing License	24.00	96.50
9 Sr. Combination License (65 and Older)	10.00	N/A
10 Sportsman's Pak License	108.50	N/A
11 Jr. Combination License	15.75	N/A
12 Jr. Hunting License	5.50	N/A
13 Jr. Mentored Hunting License	N/A	30.00
14 Youth Small Game License	5.50	18.25
15 Youth Hunter Education		
16 Graduate Hunting License	3.25	3.25
17 Jr. Fishing License	12.00	20.00
18 Disabled Combination License	3.25	N/A
19 Disabled Fishing License	3.25	N/A
20 Military Furlough Combination License	15.75	N/A
21 Military Furlough Fishing License	15.75	N/A
22 Small Game Hunting License	N/A	96.00
23 Daily Fishing (1st-day) License	9.75	11.00
24 Consecutive Day Fishing License	5.00	6.00
25 3 Day Fishing with		
26 Salmon/Steelhead Permit	N/A	35.75
27 Nongame Hunting License	N/A	33.75
28 (b) Sport Tags		
29 Deer Tag	\$ 18.00	\$ 300.00
30 Controlled Hunt Deer Tag	18.00	300.00
31 Jr. or Sr. or Disabled		
32 American Veteran Deer Tag	9.00	N/A
33 Jr. Mentored Deer Tag	N/A	22.00
34 Elk A Tag	29.00	415.00
35 Elk B Tag	29.00	415.00

1	Controlled Hunt Elk Tag	29.00	415.00
2	Jr. or Sr. or Disabled		
3	American Veteran Elk		
4	Tag	14.75	N/A
5	Jr. Mentored Elk Tag	N/A	38.00
6	Bear Tag	9.75	184.25
7	Jr. or Sr. or Disabled		
8	American Veteran Bear Tag	5.00	N/A
9	Jr. Mentored Bear Tag	N/A	22.00
10	Turkey Tag	18.00	78.25
11	Jr. or Sr. or Disabled		
12	American Veteran Turkey Tag	9.00	N/A
13	Jr. Mentored Turkey Tag	N/A	18.00
14	Mountain Lion Tag	9.75	184.25
15	Gray Wolf Tag	9.75	184.25
16	Antelope Tag	29.50	310.00
17	Moose Tag	165.00	2,100.00
18	Sheep Tag	165.00	2,100.00
19	Goat Tag	165.00	2,100.00
20	Sandhill Crane Tag	18.00	65.75
21	(c) Sport Permits		
22	Bear Baiting Permit	\$ 11.00	\$ 30.00
23	Hound Hunter Permit	11.00	168.00
24	WMA Upland Game Bird Permit	22.00	50.00
25	Archery Permit	16.50	18.25
26	Muzzleloader Permit	16.50	18.25
27	Salmon Permit	11.00	24.00
28	Steelhead Permit	11.00	24.00
29	Federal Migratory Bird Harvest		
30	Info. Permit	0.00	3.00
31	Disabled		
32	Archery Permit	0.00	0.00
33	2-Pole Fishing Permit	12.00	13.75
34	Turkey Controlled Hunt Permit	6.00	6.00
35	Sage/Sharptail Grouse Permit	3.00	3.00
36	Disabled Hunt Motor		
37	Vehicle Permit	0.00	0.00

1	(d) Commercial Licenses and Permits		
2	Raptor Captive Breeding Permit	\$ 65.75	\$ 78.75
3	Falconry Permit	27.25	N/A
4	Falconry Capture Permit	N/A	168.00
5	Jr. Trapping License	5.50	N/A
6	Trapping License	25.00	300.00
7	Taxidermist-Fur Buyer License		
8	5 year license	175.00	N/A
9	1 year license	38.25	168.25
10	Shooting Preserve Permit	329.75	N/A
11	Commercial Wildlife		
12	Farm License	137.50	N/A
13	Commercial Fishing License	110.00	265.00
14	Wholesale		
15	Steelhead License	165.00	198.25
16	Retail Steelhead Trout		
17	Buyer's License	33.00	39.25
18	(e) Commercial Tags		
19	Bobcat Tag	\$ 3.00	\$ 3.00
20	Otter Tag	3.00	3.00
21	Net Tag	55.00	65.75
22	Crayfish/Minnow Tag	1.25	3.00
23	(f) Miscellaneous-Other Licenses		
24	Duplicate License	\$ 5.50	\$ 6.50
25	Shooting Preserve License	11.00	22.00
26	Captive Wolf License	22.00	N/A
27	(g) Miscellaneous-Other Tags		
28	Duplicate Tag	\$ 5.50	\$ 6.50
29	Wild Bird Shooting Preserve Tag	5.50	6.50
30	(h) Miscellaneous-Other Permits-Points-Fees		
31	Falconry In-State Transfer Permit	\$ 5.50	\$ N/A
32	Falconry Meet Permit	N/A	26.25
33	Rehab Permit	3.00	3.00

1	Educational Fishing Permit	0.00	0.00
2	Live Fish Importation Permit	3.00	3.00
3	Sport Dog and Falconry Training Permit	3.00	3.00
4	Wildlife Transport Permit	3.00	3.00
5	Scientific Collection		
6	Permit	50.00	50.00
7	Private Park Permit	21.75	26.25
8	Wildlife Import Permit	21.75	26.25
9	Wildlife Export Permit	11.00	13.25
10	Wildlife Release Permit	11.00	13.25
11	Captive Wildlife Permit	21.75	26.25
12	Fishing Tournament Permit	21.75	25.00
13	Dog Field Trial Permit	33.00	40.00
14	Live Fish Transport Permit	21.75	26.25
15	Controlled Hunt		
16	Application Fee	4.50	13.00
17	Fee for Application for		
18	the Purchase of Controlled		
19	Hunt Bonus or Preference Points	4.50	4.50
20	Nursing Home Fishing Permit	33.00	N/A
21	<u>Conservation Permit</u>	<u>10.00</u>	<u>20.00</u>

22 SECTION 4. That Section 36-1401, Idaho Code, be, and the same is hereby
23 amended to read as follows:

24 36-1401. VIOLATIONS. (a) Infractions. Any person who pleads guilty to
25 or is found guilty of a violation of the following provisions of the fish
26 and game code or the following rules or proclamations promulgated pursuant
27 thereto is guilty of an infraction:

28 1. Statutes.

29 (A) Take, transport, use or have in possession bait fish as set
30 forth in section 36-902(d), Idaho Code.

31 (B) Chumming as set forth in section 36-902(e), Idaho Code.

32 (C) Nonresident child under the age of fourteen (14) years fish-
33 ing without a valid license and not accompanied by a valid license
34 holder as set forth in section 36-401(a)2., Idaho Code.

35 (D) Use or cut a hole larger than ten (10) inches in the ice for ice
36 fishing as set forth in section 36-1509(a), Idaho Code.

37 (E) Store fish without required tags/permits/statements as set
38 forth in section 36-503, Idaho Code.

39 (F) Own, possess or harbor any dog found running loose and which
40 is tracking, pursuing, harassing or attacking a big game animal as
41 set forth in section 36-1101(b)6.(B), Idaho Code.

1 (G) Hunt migratory waterfowl without having in possession a
 2 signed federal migratory bird hunting stamp as set forth in sec-
 3 tion 36-1102(b)2., Idaho Code.

4 (H) Hunt migratory game birds without having in possession a li-
 5 cense validated for the federal migratory bird harvest informa-
 6 tion program permit as set forth in section 36-409(k), Idaho Code.

7 (I) Trap in or on, destroy or damage any muskrat house as provided
 8 in section 36-1103(c), Idaho Code.

9 (J) Hunt migratory game birds with a shotgun capable of holding
 10 more than three (3) shells as provided and incorporated in section
 11 36-1102(b), Idaho Code.

12 2. Rules or Proclamations.

13 (A) Fish from a raft or boat with motor attached in waters where
 14 motors are prohibited.

15 (B) Fish with hooks larger than allowed in that water.

16 (C) Fish with barbed hooks in waters where prohibited.

17 (D) Exceed any established bag limit for fish by one (1) fish, ex-
 18 cept bag limits for anadromous fish, landlocked chinook salmon,
 19 kamloops rainbow trout, lake trout, or bull trout.

20 (E) Fish with more than the approved number of lines or hooks.

21 (F) Fail to leave head and/or tail on fish while fish are in pos-
 22 session or being transported.

23 (G) Snag or hook fish other than in the head and fail to release,
 24 excluding anadromous fish.

25 (H) Fail to attend fishing line and keep it under surveillance at
 26 all times.

27 (I) Fail to comply with mandatory check and report requirements.

28 (J) Fail to leave evidence of sex or species attached as required
 29 on game birds.

30 (K) Hunt or take migratory game birds or upland game birds with
 31 shot exceeding the allowable size.

32 (L) Fail to release, report or turn in nontarget trapped animals.

33 (M) Fail to complete required report on trapped furbearer.

34 (N) Fail to present required furbearer animal parts for inspec-
 35 tion.

36 (O) Fail to attach identification tags to traps.

37 (P) Possess not more than one (1) undersized bass.

38 (Q) Park or camp in a restricted area, except length of stay viola-
 39 tions.

40 (R) Fail to leave evidence of sex attached as required on game ani-
 41 mals.

42 (S) Entry upon designated department lands without a valid con-
 43 servaion permit, hunting, fishing or trapping license.

44 (b) Misdemeanors. Any person who pleads guilty to, is found guilty
 45 or is convicted of a violation of the provisions of this title or rules or
 46 proclamations promulgated pursuant thereto, or orders of the commission,
 47 except where an offense is expressly declared to be an infraction or felony,
 48 shall be guilty of a misdemeanor.

1 (c) Felonies. Any person who pleads guilty to, is found guilty or
2 is convicted of a violation of the following offenses shall be guilty of a
3 felony:

4 1. Knowingly and intentionally selling or offering for sale or
5 exchange, or purchasing or offering to purchase or exchange, any
6 wildlife, or parts thereof, which has been unlawfully killed, taken or
7 possessed.

8 2. Releasing into the wild, without a permit from the director, any of
9 the following wildlife, whether native or exotic: ungulates, bears,
10 wolves, large felines, swine, or peccaries.

11 3. Unlawfully killing, possessing or wasting of any combination of
12 numbers or species of wildlife within a twelve (12) month period which
13 has a single or combined reimbursable damage assessment of more than one
14 thousand dollars (\$1,000), as provided in section 36-1404, Idaho Code.

15 4. Conviction within ten (10) years of three (3) or more violations of
16 the provisions of this title, penalties for which include either or both
17 a mandatory license revocation or a reimbursable damage assessment.