

IN THE SENATE

SENATE BILL NO. 1285

BY RESOURCES AND ENVIRONMENT COMMITTEE

AN ACT

1 RELATING TO FISH AND GAME; AMENDING SECTION 36-404, IDAHO CODE, TO PROVIDE  
2 THAT RESIDENT YOUTH SMALL GAME LICENSES MAY BE ISSUED TO QUALIFIED  
3 PERSONS WHO ARE NINE YEARS OF AGE TO ALLOW THE APPLICATION FOR A  
4 CONTROLLED HUNT TURKEY PERMIT AND TO PROVIDE A CONDITION; AMENDING  
5 SECTION 36-406, IDAHO CODE, TO REVISE PROVISIONS RELATING TO YOUTH  
6 SMALL GAME LICENSES; AND AMENDING SECTION 36-407, IDAHO CODE, TO  
7 PROVIDE THAT NONRESIDENT YOUTH SMALL GAME LICENSES MAY BE ISSUED TO  
8 QUALIFIED PERSONS WHO ARE NINE YEARS OF AGE TO ALLOW THE APPLICATION FOR  
9 A CONTROLLED HUNT TURKEY PERMIT AND TO PROVIDE A CONDITION.  
10

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

12 SECTION 1. That Section 36-404, Idaho Code, be, and the same is hereby  
13 amended to read as follows:

14 36-404. CLASSES OF LICENSES. The licenses required by the provisions  
15 of this title shall be of eight (8) classes. Classes one (1) through five (5)  
16 and eight (8) in this section may be purchased or obtained only by persons who  
17 meet residency requirements under the provisions of section 36-202(s) and  
18 (t), Idaho Code, or who are valid holders of a lifetime license certificate.

19 Class 1: Adult Combination -- Hunting -- Fishing -- Trapping Licenses.  
20 Licenses to be issued only to persons who are residents of the state of Idaho.

21 Class 2: Junior Hunting -- Trapping -- Youth Small Game Licenses.

22 (a) Junior hunting license. Licenses to be issued only to persons who  
23 are residents of the state of Idaho and are between twelve (12) and seventeen  
24 (17) years of age, inclusive. Provided, that a license may be issued to  
25 qualified persons who are eleven (11) years of age to allow the application  
26 for a controlled hunt permit; however, said persons shall not hunt until they  
27 are twelve (12) years of age.

28 (b) Junior trapping licenses. Licenses to be issued only to persons who  
29 are residents of the state of Idaho and are seventeen (17) years of age or  
30 younger.

31 (c) Youth small game licenses. Licenses to be issued only to qualified  
32 persons who are residents of the state of Idaho and are ten (10) or eleven  
33 (11) years of age to hunt upland game birds (including turkeys), migratory  
34 game birds, cottontail rabbits, huntable furbearers, and unprotected and  
35 predatory birds and animals of this state while accompanied in the field by  
36 an adult licensed to hunt in the state of Idaho. Provided, that a license  
37 may be issued to qualified persons who are nine (9) years of age to allow the  
38 application for a controlled hunt turkey permit; however, said persons shall  
39 not hunt until they are ten (10) years of age.

40 Class 3: Junior Combination -- Fishing Licenses. Licenses to be issued  
41 only to persons who are residents of the state of Idaho between fourteen (14)  
42 and seventeen (17) years of age, inclusive.

1 Class 4: Senior Resident Combination License. Licenses to be issued  
2 only to persons over sixty-five (65) years of age who have been bona fide  
3 residents of the state of Idaho for a continuous period of not less than five  
4 (5) years last preceding application.

5 Class 5: Resident Lifetime Combination -- Hunting -- Fishing License.  
6 Licenses to be issued only to persons who are valid holders of a lifetime  
7 license certificate.

8 Class 6: Nonresident Combination -- Hunting -- Fishing -- Trapping  
9 -- Junior Mentored Hunting -- Youth Small Game -- Youth Hunter Education  
10 Graduate -- Licenses. Licenses required of persons who are nonresidents.

11 Class 7: Duplicate License -- Tag. A license or tag to be issued as a  
12 replacement for an original license or tag lost or mutilated. Said license  
13 or tag shall be issued in the same class and type as the original and upon  
14 issuance of such duplicate license or tag the original license or tag shall  
15 become null and void.

16 Class 8: Resident Hunting and Fishing License with Tags, Permits  
17 and Stamps. Licenses to be issued only to persons who meet residency  
18 requirements under the provisions of section 36-202(s) and (t), Idaho Code.

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

21 36-406. RESIDENT FISHING, HUNTING AND TRAPPING LICENSES -- FEES. (a)  
22 Adult Licenses -- Combination -- Fishing -- Hunting -- Trapping. A license  
23 of the first class may be had by a person possessing the qualifications  
24 therein described on payment of a fee as specified in section 36-416, Idaho  
25 Code, for a combined fishing and hunting license entitling the purchaser  
26 to hunt and fish for game animals, game birds, unprotected and predatory  
27 animals and fish of the state, a fee as specified in section 36-416, Idaho  
28 Code, for a fishing license entitling the purchaser to fish in the public  
29 waters of the state, a fee as specified in section 36-416, Idaho Code, for  
30 a hunting license entitling the purchaser to hunt game animals, game birds,  
31 unprotected and predatory animals of the state, and a fee as specified in  
32 section 36-416, Idaho Code, for a trapping license entitling the purchaser  
33 to trap furbearers, unprotected and predatory animals of the state.

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

40 (c) Junior Combination -- Fishing Licenses. A license of the third  
41 class may be purchased by a person possessing the qualifications therein  
42 described on payment of a fee as specified in section 36-416, Idaho Code, for  
43 a combined fishing and hunting license, and a fee as specified in section  
44 36-416, Idaho Code, for a fishing license entitling the purchaser to the same  
45 privileges as the corresponding license of the first class provides.

46 (d) Senior Resident Combination. A license of the fourth class may be  
47 had by a person possessing the qualifications therein described on payment  
48 of a fee as specified in section 36-416, Idaho Code, for a combined fishing

1 and hunting license entitling the purchaser to the same privileges as the  
2 corresponding license of the first class provides.

3 (e) Lifetime Licenses -- Combination -- Hunting -- Fishing. A license  
4 of the fifth class may be obtained at no additional charge by a person  
5 possessing the qualifications therein described for a combined hunting and  
6 fishing license, for a hunting license, or for a fishing license, entitling  
7 the person to the same privileges as the corresponding license of the first  
8 class provides. Lifetime licensees must be certified under the provisions  
9 of section 36-413, Idaho Code, before being issued a license to hunt.

10 (f) A license of the eighth class may be had by a person possessing  
11 the qualifications therein described on payment of a fee as specified in  
12 section 36-416, Idaho Code, entitling the purchaser to hunt and fish for  
13 game animals, game birds, fish, and unprotected and predatory animals of the  
14 state. With payment of the required fee, a person shall receive with this  
15 license a deer tag, an elk tag, a bear tag, a turkey tag, a mountain lion tag,  
16 an archery hunt permit, a muzzleloader permit, a steelhead trout permit and  
17 an anadromous salmon permit. The director shall promptly transmit to the  
18 state treasurer all moneys received pursuant to this subsection for deposit  
19 as follows:

20 (i) Four dollars (\$4.00) in the set-aside account for the purposes of  
21 section 36-111(1) (a), Idaho Code;

22 (ii) Two dollars (\$2.00) in the set-aside account for the purposes of  
23 section 36-111(1) (b), Idaho Code;

24 (iii) One dollar and fifty cents (\$1.50) in the set-aside account for  
25 the purposes of section 36-111(1) (c), Idaho Code; and

26 (iv) The balance in the fish and game account.

27 All persons purchasing a license pursuant to this subsection shall  
28 observe and shall be subject to all rules of the commission regarding the  
29 fish and wildlife of the state.

30 If the purchaser of this license does not meet the archery education  
31 requirements of section 36-411(b), Idaho Code, then, notwithstanding the  
32 provisions of section 36-304, Idaho Code, the archery hunt permit portion  
33 of this license is invalid. The fee for this license will not change and the  
34 license must be issued without the archery permit validation.

35 (g) Disabled Persons Licenses -- Combination -- Fishing. A license of  
36 the first class may be had by any resident disabled person on payment of a  
37 fee as specified in section 36-416, Idaho Code, for a combined fishing and  
38 hunting license, and a fee as specified in section 36-416, Idaho Code, for  
39 a fishing license, entitling the purchaser to the same privileges as the  
40 corresponding license of the first class provides. A disabled person means  
41 a person who is deemed disabled by one (1) or more, but not necessarily all,  
42 of the following: the railroad retirement board pursuant to title 45 of  
43 the United States Code, or certified as eligible for federal supplemental  
44 security income (SSI); or social security disability income (SSDI); or a  
45 nonservice-connected veterans pension; or a service-connected veterans  
46 disability benefit with forty percent (40%) or more disability; or certified  
47 as permanently disabled by a physician. Once determination of permanent  
48 disability has been made with the department, the determination shall remain  
49 on file within the electronic filing system and the license holder shall not

1 be required to present a physician's determination each year or prove their  
2 disability each year.

3 (h) Military Furlough Licenses -- Combination -- Fishing. A license  
4 of the first class may be had by a resident person engaged in the military  
5 service of the United States, while on temporary furlough or leave,  
6 possessing the qualifications therein described on payment of a fee as  
7 specified in section 36-416, Idaho Code, for a combined fishing and hunting  
8 license, and as specified in section 36-416, Idaho Code, for a fishing  
9 license.

10 (i) Youth Small Game Licenses -- Hunting. A license of the second  
11 class may be had by a ~~resident of ten (10) or eleven (11) years of age~~ person  
12 possessing the qualifications therein described on payment of a fee as  
13 specified in section 36-416, Idaho Code, provided that the license shall  
14 be valid only for hunting upland game birds (including turkeys), migratory  
15 game birds, cottontail rabbits, huntable furbearers, and unprotected and  
16 predatory birds and animals of this state while accompanied in the field by  
17 the holder of an adult Idaho hunting license.

18 SECTION 3. That Section 36-407, Idaho Code, be, and the same is hereby  
19 amended to read as follows:

20 36-407. NONRESIDENT COMBINATION, FISHING, HUNTING, AND TRAPPING  
21 LICENSES -- FEES -- RIGHTS UNDER. Licenses of the sixth class shall be issued  
22 to nonresidents in the several kinds and for fees as follows:

23 (a) Nonresident Hunting License. A license issued only to a person  
24 twelve (12) years of age or older entitling said person to pursue, hunt,  
25 or kill game birds, small game animals, unprotected birds and animals and  
26 predatory birds and animals and to purchase game tags as provided in section  
27 36-409(b), Idaho Code. Provided, that a license may be issued to qualified  
28 persons who are eleven (11) years of age to allow the application for a  
29 controlled hunt permit; however, said persons shall not hunt until they are  
30 twelve (12) years of age. A license of this kind may be had upon payment of a  
31 fee as specified in section 36-416, Idaho Code.

32 (b) Nonresident Season Fishing License. A license entitling a person  
33 to fish in the public waters of the state. A license of this kind may be had  
34 upon payment of a fee as specified in section 36-416, Idaho Code.

35 (c) Nonresident Trapping License. A license entitling a person to trap  
36 fur-bearing, unprotected, and predatory animals. A license of this kind  
37 may be had upon payment of a fee as specified in section 36-416, Idaho Code,  
38 providing the state of residence of said person grants similar trapping  
39 license privileges to residents of Idaho.

40 (d) Nonresident Nongame License. A license entitling a person to carry  
41 a shotgun or rifle for the protection of livestock, or to pursue, hunt and  
42 kill unprotected birds and animals and predatory birds and animals of this  
43 state. A license of this kind may be had by a nonresident person who is twelve  
44 (12) years of age or older upon payment of a fee as specified in section  
45 36-416, Idaho Code. This license shall be valid only during the period of  
46 January 1 to August 31 of the calendar year in which issued, unless verified  
47 by the director that the licensee requires such a license to authorize him to  
48 carry a shotgun or rifle for the protection of livestock, in which case said  
49 license shall be valid until December 31 of the year in which issued.

1 (e) Nonresident Small Game Hunting License. A license issued only to a  
2 person twelve (12) years of age or older, entitling the person to hunt upland  
3 game birds (to include turkeys), migratory game birds, cottontail rabbits,  
4 huntable furbearers, and unprotected and predatory birds and animals of  
5 this state. A person holding this license shall purchase the appropriate  
6 required tags and permits, and may not hunt pheasants in an area during the  
7 first five (5) days of the pheasant season in that area. A license of this  
8 type may be had upon payment of a fee as specified in section 36-416, Idaho  
9 Code.

10 (f) Falconry Meet Permit. The director may issue a special permit for a  
11 regulated meet scheduled for a specific number of days upon payment of a fee  
12 as specified in section 36-416, Idaho Code. Only trained raptors may be used  
13 under the special permit issued under the provisions of this subsection.

14 (g) Daily Fishing License -- Resident May Purchase. A license  
15 entitling a person to fish in the waters of the state on a day-to-day basis.  
16 A license of this kind may be had by a resident or nonresident person (the  
17 provisions of section 36-405, Idaho Code, notwithstanding), upon payment of  
18 a fee as specified in section 36-416, Idaho Code, for the first effective day  
19 and a fee as specified in section 36-416, Idaho Code, for each consecutive  
20 day thereafter.

21 (h) Nonresident Three Day Fishing License with Steelhead or Salmon  
22 Permit. A license entitling a nonresident to fish in the waters of the  
23 state for a period of three (3) consecutive days for any fish, including  
24 steelhead trout or anadromous salmon during an open season for those fish  
25 may be had upon payment of a fee as specified in section 36-416, Idaho  
26 Code. The three (3) day license holder may fish for any species of fish,  
27 steelhead trout and anadromous salmon subject to the limitations prescribed  
28 in rules promulgated by the commission. A nonresident may purchase as many  
29 of the licenses provided in this subsection as he desires provided that the  
30 nonresident is otherwise eligible to do so.

31 (i) Nonresident Junior Fishing License. A license entitling a  
32 nonresident who is less than eighteen (18) years of age to fish in the waters  
33 of this state may be had upon payment of a fee as specified in section 36-416,  
34 Idaho Code.

35 (j) Nonresident Combination Licenses. A license entitling the person  
36 to hunt and fish for game animals, game birds, fish and unprotected and  
37 predatory animals of the state may be had by a person twelve (12) years of age  
38 or older upon payment of a fee as specified in section 36-416, Idaho Code. A  
39 license may be issued to a qualified person who is eleven (11) years of age  
40 to allow the application for a controlled hunt permit; however, the person  
41 shall not hunt until he is twelve (12) years of age.

42 (k) Nonresident Junior Mentored Hunting License. A license entitling a  
43 nonresident between twelve (12) and seventeen (17) years of age, inclusive,  
44 to hunt game animals, upland game birds (including turkeys), migratory game  
45 birds, cottontail rabbits, and unprotected and predatory birds and animals  
46 of this state only when accompanied in the field by the holder of an adult  
47 Idaho hunting license. A person holding this license shall purchase the  
48 appropriate required tags as provided in section 36-409(b), Idaho Code, and  
49 permits. Provided, that a license may be issued to qualified persons who  
50 are eleven (11) years of age to allow the application for a controlled hunt

1 permit; however, said persons shall not hunt until they are twelve (12) years  
2 of age. A license of this kind may be had upon payment of a fee as specified  
3 in section 36-416, Idaho Code.

4 (l) Nonresident Youth Small Game Licenses -- Hunting. A license  
5 entitling a nonresident of ten (10) or eleven (11) years of age to hunt  
6 upland game birds (including turkeys), migratory game birds, cottontail  
7 rabbits, huntable furbearers, and unprotected and predatory birds and  
8 animals of this state only while accompanied in the field by the holder of  
9 an adult Idaho hunting license may be had upon payment of a fee as specified  
10 in section 36-416, Idaho Code. Provided, that a license may be issued to  
11 qualified persons who are nine (9) years of age to allow the application for  
12 a controlled hunt turkey permit; however, said persons shall not hunt until  
13 they are ten (10) years of age.

14 (m) Youth Hunter Education Graduate Licenses -- Hunting -- Resident  
15 May Purchase. A license entitling a person between ten (10) and seventeen  
16 (17) years of age, inclusive, to hunt upland game birds (except turkeys),  
17 migratory game birds, cottontail rabbits, huntable furbearers, and  
18 unprotected and predatory birds and animals of this state only when  
19 accompanied in the field by the holder of an adult Idaho hunting license.  
20 A person holding this license shall purchase the appropriate required  
21 permits. A license of this kind may be issued to a resident or nonresident  
22 person, notwithstanding the provisions of section 36-405, Idaho Code, upon  
23 payment of a fee as specified in section 36-416, Idaho Code.