

IN THE SENATE

SENATE BILL NO. 1321

BY RESOURCES AND ENVIRONMENT COMMITTEE

AN ACT

1 RELATING TO FISH AND GAME; AMENDING SECTION 36-111, IDAHO CODE, TO REVISE  
2 PROVISIONS RELATING TO THE USE OF MONEYS IN THE WINTER FEEDING ACCOUNT,  
3 TO REVISE PROVISIONS RELATING TO THE USE OF THE BALANCE OF MONEYS FROM  
4 A SPECIFIED SOURCE WHICH WERE NOT DEPOSITED IN THE FEEDING ACCOUNT AND  
5 TO REQUIRE THE DEPARTMENT OF FISH AND GAME TO MAKE YEARLY REPORTS TO THE  
6 SENATE RESOURCES AND CONSERVATION COMMITTEE AND THE HOUSE RESOURCES AND  
7 ENVIRONMENT COMMITTEE DETAILING HOW FUNDS IN THE FEEDING ACCOUNT HAVE  
8 BEEN EXPENDED.  
9

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

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

13 36-111. FISH AND GAME SET-ASIDE ACCOUNT. (1) There is hereby estab-  
14 lished the fish and game set-aside account in the dedicated fund. The ac-  
15 count shall have paid into it moneys as follows:

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

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

32 (c) One dollar and fifty cents (\$1.50) from each antelope, elk and  
33 deer tag sold as provided in section 36-409, Idaho Code. Not less than  
34 seventy-five cents (75¢) of each one dollar and fifty cents (\$1.50)  
35 collected shall be placed in a separate account to be designated as a  
36 feeding account. Moneys in this account shall be used exclusively for  
37 the purposes of actual supplemental winter feeding of and rehabilita-  
38 tion of winter range for antelope, elk and deer. Moneys shall be used  
39 solely for the purchase of blocks, pellets and hay for such winter feed-  
40 ing purposes. The balance of moneys realized from this source, which  
41 were not deposited in the feeding account, up to a maximum of two hun-  
42 dred thousand dollars (\$200,000), shall may be used for the control of

1       depredation of private property by antelope, elk and deer and control  
2       of predators affecting antelope, elk and deer. Any balance in excess  
3       of two hundred thousand dollars (\$200,000) shall be transferred to the  
4       feeding account. Moneys in the feeding account shall not be used for any  
5       purpose other than winter feeding as herein specified ~~until the total~~  
6       ~~funds in the account, including any interest earnings thereon, equal or~~  
7       ~~exceed four hundred thousand dollars (\$400,000).~~ Moneys in the feeding  
8       account may not be expended except upon the declaration of a feeding  
9       emergency by the director of the department of fish and game. Such  
10      emergency need not exist on a statewide basis but can be declared with  
11      respect to one (1) or more regions of the state. The department shall  
12      by rule establish the criteria for a feeding emergency. The department  
13      shall submit a yearly report to the senate resources and conservation  
14      committee and the house resources and environment committee of the leg-  
15      islature on or before the 31st day of July, detailing how funds in the  
16      feeding account have been expended during the preceding fiscal year.

17      (d) Those amounts designated by individuals in accordance with section  
18      63-3067A(3) (a), Idaho Code, and from fees paid under the provisions of  
19      section 49-417, Idaho Code. Moneys from these sources shall be used for  
20      a nongame management and protection program under the direction of the  
21      fish and game commission.

22      (e) Money derived from the assessment of processing fees. Moneys de-  
23      rived 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.