

LEGISLATURE OF THE STATE OF IDAHO
Sixty-first Legislature First Regular Session - 2011

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 155

BY RESOURCES AND CONSERVATION COMMITTEE

AN ACT

RELATING TO FISH AND GAME; AMENDING SECTION 36-1407, IDAHO CODE, TO REMOVE
PROCESSING FEE PROVISIONS FOR BLACK BEAR AND TO MAKE A TECHNICAL CORREC-
TION.

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

SECTION 1. That Section 36-1407, Idaho Code, be, and the same is hereby
amended to read as follows:

36-1407. PROCESSING FEE IMPOSED ON VIOLATORS. (a) In addition to the
penalties provided for violating any of the provisions of title 36, Idaho
Code, any person who pleads guilty, is found guilty, or is convicted of or re-
ceived a withheld judgment for the illegal killing or the illegal possession
or illegal waste of game animals shall be assessed a processing fee as fol-
lows:

(1) Moose or elk, two hundred fifty dollars (\$250) per animal killed,
possessed or wasted.

(2) Deer, pronghorn antelope, seventy-five dollars (\$75.00) per animal
killed, possessed or wasted.

(3) Bighorn sheep, caribou, ~~and mountain goat and black bear~~, one hun-
dred twenty-five dollars (~~\$125.00~~) per animal killed, possessed or
wasted.

(b) In every case of a plea of guilty, a finding of guilt, a conviction
or a withheld judgment, the court before whom such plea of guilty, finding of
guilt or conviction is obtained or who enters a withheld judgment shall enter
judgment ordering the defendant to pay the state in a sum or sums as herein-
before set forth including post-judgment interest. If two (2) or more defen-
dants are convicted of the illegal taking, killing or the illegal possession
or wasting of the game animal, such judgment shall be declared against them
jointly and severally.

(c) The judgment shall fix the manner and the time of payment. A de-
faulted judgment or any installment payment thereof may be collected by any
means authorized for the enforcement of a judgment under the provisions of
the Idaho Code.

(d) All courts ordering such judgments of processing fees shall order
such payments to be made to the department which shall deposit them with the
state treasurer, and the treasurer shall place them in the state fish and
game set-aside account. These fees shall be available for the processing of
the meat of moose, elk, deer, pronghorn antelope, bighorn sheep, caribou,
and mountain goat ~~and black bear~~ which have been illegally taken, acciden-
tally killed, taken as a result of depredation problems or donated by sports-
men. The processed meat thereof shall be distributed by charitable organi-
zations free to needy Idaho residents or utilized by charitable organiza-
tions.