

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 399

BY RESOURCES AND CONSERVATION COMMITTEE

AN ACT

RELATING TO FISH AND GAME; AMENDING SECTION 36-404, IDAHO CODE, TO PROVIDE THAT A LICENSE MAY BE ISSUED TO CERTAIN QUALIFIED PERSONS WHO ARE NINE YEARS OF AGE TO ALLOW THE APPLICATION FOR A CONTROLLED HUNT BIG GAME TAG AND TO REMOVE A PROHIBITION RELATING TO THE HUNTING OF BIG GAME BY CERTAIN PERSONS WITH A JUNIOR HUNTING LICENSE WHO ARE TEN OR ELEVEN YEARS OF AGE; AND AMENDING SECTION 36-407, IDAHO CODE, TO PROVIDE THAT A LICENSE MAY BE ISSUED TO CERTAIN QUALIFIED PERSONS WHO ARE NINE YEARS OF AGE TO ALLOW THE APPLICATION FOR A CONTROLLED HUNT BIG GAME TAG, TO REMOVE A PROHIBITION RELATING TO THE HUNTING OF BIG GAME ANIMALS BY PERSONS WITH NONRESIDENT JUNIOR MENTORED HUNTING LICENSES WHO ARE TEN OR ELEVEN YEARS OF AGE, TO PROVIDE THAT PERSONS WITH CERTAIN LICENSES SHALL BE ENTITLED TO FISH IN THE WATERS OF THE STATE FOR A PERIOD OF THREE CONSECUTIVE DAYS IN EACH LICENSE YEAR FOR ANY FISH DURING AN OPEN SEASON FOR THOSE FISH, TO PROVIDE EXCEPTIONS AND TO MAKE TECHNICAL CORRECTIONS.

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

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

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

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

Class 2: Junior Hunting -- Trapping.

(a) Junior hunting license. Licenses to be issued only to persons who are residents of the state of Idaho and are between ten (10) and seventeen (17) years of age, inclusive. Provided, that a license may be issued to qualified persons who are nine (9) years of age to allow the application for a controlled hunt big game tag or turkey permit; however, said persons shall not hunt until they are ten (10) years of age. Persons with a junior hunting license who are ten (10) or eleven (11) years of age ~~shall not hunt big game and said persons~~ shall be accompanied in the field by an adult licensed to hunt in the state of Idaho.

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

Class 3: Junior Combination -- Fishing Licenses. Licenses to be issued only to persons who are residents of the state of Idaho between fourteen (14) 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 res-  
3 idents of the state of Idaho for a continuous period of not less than five (5)  
4 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 li-  
7 cense certificate.

8       Class 6: Nonresident Combination -- Hunting -- Fishing -- Trapping --  
9 Junior Mentored Hunting -- Disabled Hunting License for American Veteran  
10 Participating in a Hunt in Association with a Qualified Organization -- Li-  
11 censes. Licenses required of persons who are nonresidents.

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

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

20       SECTION 2. That Section 36-407, Idaho Code, be, and the same is hereby  
21 amended to read as follows:

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

25       (a) Nonresident Hunting With Three Day Fishing License. A license is-  
26 sued only to a person twelve (12) years of age or older entitling said per-  
27 son to hunt game animals, game birds and unprotected and predatory wildlife  
28 and to purchase game tags as provided in section 36-409(b), Idaho Code, and  
29 to fish in the waters of the state for a period of three (3) consecutive days  
30 for any fish during an open season for those fish, excluding steelhead trout  
31 and anadromous salmon. Provided, that a license may be issued to qualified  
32 persons who are eleven (11) years of age to allow the application for a con-  
33 trolled hunt tag; however, said persons shall not hunt until they are twelve  
34 (12) years of age. A license of this kind may be had upon payment of a fee as  
35 specified in section 36-416, Idaho Code.

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

39       (c) Nonresident Trapping License. A license entitling a person to trap  
40 wolves, ~~fur-bearing~~ furbearing, unprotected and predatory wildlife. A li-  
41 cense of this kind may be had upon payment of a fee as specified in section  
42 36-416, Idaho Code, providing the state of residence of said person grants  
43 similar trapping license privileges to residents of Idaho.

44       (d) Nonresident Nongame License. A nonresident nongame license to hunt  
45 is a license entitling a person to hunt unprotected birds and animals and  
46 predatory wildlife of this state. A license of this kind may be had by a non-  
47 resident person who is twelve (12) years of age or older upon payment of a fee  
48 as specified in section 36-416, Idaho Code.

1 (e) Nonresident Small Game Hunting License. A license issued only to  
2 a person twelve (12) years of age or older, entitling the person to hunt up-  
3 land game birds (to include turkeys), migratory game birds, upland game an-  
4 imals, huntable ~~fur-bearing~~ furbearing animals, and unprotected and preda-  
5 tory wildlife of this state. A person holding this license shall purchase  
6 the appropriate required tags and permits, and may not hunt pheasants in an  
7 area during the first five (5) days of the pheasant season in that area. A  
8 license of this type may be had upon payment of a fee as specified in section  
9 36-416, Idaho 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 enti-  
15 tling a person to fish in the waters of the state on a day-to-day basis. A  
16 license of this kind may be had by a resident or nonresident person (the pro-  
17 visions of section 36-405, Idaho Code, notwithstanding), upon payment of a  
18 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 state  
23 for a period of three (3) consecutive days for any fish, including steelhead  
24 trout or anadromous salmon during an open season for those fish may be had  
25 upon payment of a fee as specified in section 36-416, Idaho Code. The three  
26 (3) day license holder may fish for any species of fish, steelhead trout and  
27 anadromous salmon subject to the limitations prescribed in rules promul-  
28 gated by the commission. A nonresident may purchase as many of the licenses  
29 provided in this subsection as he desires provided that the nonresident is  
30 otherwise eligible to do so.

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

35 (j) Nonresident Combination Licenses. A license entitling the per-  
36 son to hunt and fish for game animals, game birds, fish and unprotected and  
37 predatory wildlife of the state and to purchase game tags as provided in  
38 section 36-409(b), Idaho Code, may be had by a person twelve (12) years of age  
39 or older upon payment of a fee as specified in section 36-416, Idaho Code. A  
40 license may be issued to a qualified person who is eleven (11) years of age to  
41 allow the application for a controlled hunt tag; however, the person shall  
42 not hunt until he is twelve (12) years of age.

43 (k) Nonresident Junior Mentored Hunting License. A license entitling  
44 a nonresident between ten (10) and seventeen (17) years of age, inclusive,  
45 to hunt big game animals, upland game birds (including turkeys), migratory  
46 game birds, upland game animals, huntable furbearing animals and unpro-  
47 tected and predatory wildlife of this state only when accompanied in the  
48 field by the holder of an adult Idaho hunting license. A person holding this  
49 license shall purchase the appropriate required tags as provided in section  
50 36-409(b), Idaho Code, and permits. Provided, that a license may be issued

1 to qualified persons who are nine (9) years of age to allow the application  
 2 for a controlled hunt big game tag or turkey permit; however, said persons  
 3 shall not hunt until they are ten (10) years of age. ~~Persons with a nonres-~~  
 4 ~~ident junior mentored hunting license who are ten (10) or eleven (11) years~~  
 5 ~~of age shall not hunt big game animals.~~ A license of this kind may be had upon  
 6 payment of a fee as specified in section 36-416, Idaho Code.

7 (l) Nonresident Disabled American Veteran. A license entitling a per-  
 8 son to participate in a hunt in association with a qualified organization.  
 9 "Qualified organization," as used in association with these licenses, shall  
 10 be as defined in section 36-408(7), Idaho Code.

11 (em) Nonresident Hunting License -- Three Year. A license issued only  
 12 to a person twelve (12) years of age or older entitling said person to hunt  
 13 game birds, game animals, unprotected and predatory wildlife and to purchase  
 14 game tags as provided in section 36-409(b), Idaho Code, and to fish in the wa-  
 15 ters of the state for a period of three (3) consecutive days in each license  
 16 year for any fish during an open season for those fish, excluding steelhead  
 17 trout and anadromous salmon. Provided, that a license may be issued to qual-  
 18 ified persons who are eleven (11) years of age to allow the application for  
 19 a controlled hunt tag; however, said persons shall not hunt until they are  
 20 twelve (12) years of age. A license of this kind may be had upon payment of  
 21 three (3) times the fee as specified in section 36-416, Idaho Code. The expi-  
 22 ration date for said license shall be December 31 of the third year following  
 23 the date of issuance.

24 (pn) Nonresident Season Fishing License -- Three Year. A license en-  
 25 titling a person to fish in the public waters of the state. A license of  
 26 this kind may be had upon payment of three (3) times the fee as specified in  
 27 section 36-416, Idaho Code, for a fishing license. The expiration date for  
 28 said license shall be December 31 of the third year following the date of  
 29 issuance.

30 (eo) Nonresident Combination Licenses -- Three Year. A license enti-  
 31 tling the person to hunt and fish for game animals, game birds, fish and un-  
 32 protected and predatory wildlife of the state may be had by a person twelve  
 33 (12) years of age or older upon payment of three (3) times the fee as spec-  
 34 ified in section 36-416, Idaho Code, for a combined hunting and fishing li-  
 35 cense. A license may be issued to a qualified person who is eleven (11) years  
 36 of age to allow the application for a controlled hunt tag; however, the per-  
 37 son shall not hunt until he is twelve (12) years of age. The expiration date  
 38 for said license shall be December 31 of the third year following the date of  
 39 issuance.

40 (xp) Nonresident Junior Mentored Hunting License -- Three Year. A li-  
 41 cense entitling a nonresident between ten (10) and seventeen (17) years of  
 42 age, inclusive, to hunt game animals, upland game birds (including turkeys),  
 43 migratory game birds, and unprotected and predatory wildlife of this state  
 44 only when accompanied in the field by the holder of an adult Idaho hunting  
 45 license. A person holding this license shall purchase the appropriate re-  
 46 quired tags as provided in section 36-409(b), Idaho Code, and permits. Pro-  
 47 vided, that a license may be issued to qualified persons who are nine (9)  
 48 years of age to allow the application for a controlled hunt turkey permit;  
 49 however, said persons shall not hunt until they are ten (10) years of age.  
 50 A license of this kind may be had upon payment of three (3) times the fee as

1 specified in section 36-416, Idaho Code, for a junior mentored hunting li-  
2 cense. The expiration date for said license shall be December 31 of the third  
3 year following the date of issuance.