



95TH GENERAL ASSEMBLY

State of Illinois

2007 and 2008

HB1734

Introduced 2/23/2007, by Rep. Shane Cultra

SYNOPSIS AS INTRODUCED:

520 ILCS 5/1.31	from Ch. 61, par. 1.31
520 ILCS 5/1.32	from Ch. 61, par. 1.32
520 ILCS 5/3.2	from Ch. 61, par. 3.2

Amends the Wildlife Code. Increases the minimum deposits into the State Pheasant Fund per license accounting period to \$1,000,000 (now \$500,000). Increases the minimum deposits into the State Furbearer Fund per license accounting period to \$200,000 (now \$100,000). Increases the fee for a State Habitat Stamp to \$10 (now \$5). Effective July 1, 2007.

LRB095 07715 CMK 27871 b

FISCAL NOTE ACT
MAY APPLY

1 AN ACT concerning wildlife.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Wildlife Code is amended by changing
5 Sections 1.31, 1.32, and 3.2 as follows:

6 (520 ILCS 5/1.31) (from Ch. 61, par. 1.31)

7 Sec. 1.31. Pheasant Fund. There is created in the State
8 Treasury the State Pheasant Fund. All interest earned on monies
9 in this Fund shall remain in the fund.

10 (a) Thirty percent of the money collected from the sale of
11 State Habitat Stamps, and all interest earned, gifts,
12 donations, grants, and bequests of money for the conservation
13 of wild pheasants shall be deposited into the State Pheasant
14 Fund for appropriation to the Department for the following
15 purposes:

16 (1) 50% of funds derived from the sale of State Habitat
17 Stamps and deposited into the State Pheasant Fund, and all
18 interest earned, gifts, donations, grants and bequests of
19 money for the conservation of wild pheasants shall be used
20 by the Department for the conservation of wild pheasants.
21 Before allocating any funds under the provisions of this
22 subsection, the Department shall submit plans for use of
23 the funds to the State Pheasant Committee for its approval.

1 Pheasant conservation projects may include land
2 acquisition, pheasant habitat improvement on public or
3 private land, pheasant research, and education of the
4 public regarding pheasants and pheasant hunting. None of
5 the monies spent under this Section shall be used for
6 administrative expenses.

7 (2) 50% of funds derived from the sale of State Habitat
8 Stamps and deposited into the Pheasant Fund shall be
9 allocated by the Department to appropriate not-for-profit
10 organizations for the purpose of wild pheasant
11 conservation. Before allocating any funds under the
12 provisions of this paragraph (2), the Department shall
13 submit the organizations' plans for use of the funds to the
14 State Pheasant Committee for its approval. By December 31
15 of each year, any organization receiving funds under this
16 paragraph (2) shall report to the Department and the
17 Committee on its use of those funds. Pheasant conservation
18 projects may include land acquisition, pheasant habitat
19 improvement on public or private land, pheasant research,
20 or education of the public regarding pheasants and pheasant
21 hunting.

22 (b) The State Pheasant Committee is created and shall
23 consist of: (1) the Chief of the Wildlife Resources Division or
24 his designee, (2) the Chief of the Land Management Division or
25 his designee, (3) one representative appointed by the Director
26 who is from a nonprofit institution, corporation, or university

1 within the State and is actively engaged in wildlife research
2 pertaining to game birds, especially pheasants, (4) the Chief
3 of the Technical Services Division or his designee, and (5) 2
4 or more representatives from statewide pheasant organizations,
5 appointed by the Director. The Committee shall review and
6 recommend all allocation of funds from the State Pheasant Fund.

7 (c) At the end of each license accounting period, if 30% of
8 the money collected from the sale of State Habitat Stamps and
9 deposited into the State Pheasant Fund is less than \$1,000,000,
10 ~~\$500,000,~~ the Director shall request a transfer and the State
11 Comptroller and State Treasurer shall transfer from the
12 Illinois Habitat Fund to the State Pheasant Fund the amount
13 necessary to bring the total deposited into the State Pheasant
14 Fund to \$1,000,000 ~~\$500,000~~.

15 (Source: P.A. 86-158; 86-1028; 87-135; 87-1015.)

16 (520 ILCS 5/1.32) (from Ch. 61, par. 1.32)

17 Sec. 1.32. Distribution of funds; State Furbearer
18 Committee.

19 (a) There is created within the State Treasury the State
20 Furbearer Fund. All interest earned on monies in this Fund
21 shall remain in the fund. Six percent of the money collected
22 from the sale of State Habitat Stamps, and all interest earned,
23 gifts, donations, grants, and bequests of money for the
24 conservation of furbearing mammals shall be deposited into the
25 State Furbearer Fund and shall be held separate and apart from

1 the general fund. These monies shall be appropriated to the
2 Department for the following purposes:

3 (1) 10% of all funds derived from the sale of State
4 Habitat Stamps and deposited into the State Furbearer Fund,
5 and 100% of all interest earned, gifts, donations, grants
6 and bequests of money for the conservation of furbearing
7 mammals shall be appropriated for the purpose of
8 conservation of fur-bearing mammals, and for projects,
9 approved by the Department, for the purpose of developing
10 and improving public fur-bearing mammal habitat management
11 areas within the State. The State Furbearer Committee may
12 include, on an emergency basis only, any projects as the
13 repair, maintenance, and operation of mammal habitat
14 management areas, except that no monies spent within the
15 State for this purpose shall be used for administrative
16 expenses.

17 (2) 45% of all funds derived from the sale of State
18 Habitat Stamps and deposited into the State Furbearer Fund
19 shall be allocated by the Department to suitable non-profit
20 institutions, corporations, or universities, for projects
21 approved by the Department, for the purpose of conducting
22 surveys and investigations concerning the biology,
23 ecology, and management of fur-bearing mammals within the
24 State. Before allocating any funds under the provisions of
25 this paragraph (2), the Department shall obtain evidence
26 that the project is acceptable to the appropriate

1 non-profit institution, corporation, or university having
2 jurisdiction over the expenditure of funds for the project,
3 and shall consult those non-profit institutions,
4 corporations, and universities and the State Furbearer
5 Committee for approval before allocating funds.

6 (3) 45% of all funds derived from the sale of State
7 Habitat Stamps and deposited into the State Furbearer Fund
8 shall be allocated for projects approved by the Department
9 for the purpose of educating hunters and trappers of
10 fur-bearing mammals within the State and the general public
11 concerning the role that hunting and trapping has upon
12 fur-bearing mammal management, concerning the laws
13 associated with the harvesting of fur-bearing mammals,
14 concerning the techniques used in the hunting and trapping
15 of fur-bearing mammals, and concerning the conservation,
16 management, and ecology of fur-bearing mammals. Projects,
17 as determined by the State Furbearer Committee, may include
18 the promotion of products made from wild fur-bearing
19 mammals, except that no monies spent for these projects
20 shall be used for administrative expenses.

21 All allocations and accounting of moneys in the State
22 Furbearer Fund, including all expenditures previously
23 incurred, shall be allocated according to the percentages
24 established by this amendatory Act of 1992.

25 (b) The State Furbearer Committee shall consist of: (1) the
26 State Furbearer Biologist, (2) the Chief of the Division of

1 Wildlife Resources or his designee, (3) the Chief of the
2 Division of Land Management or his designee, (4) one
3 representative appointed by the Director who is from a
4 nonprofit institution, corporation or university within the
5 State and is actively engaged in wildlife research pertaining
6 to game or fur-bearing mammals, and (5) at least 2, but not
7 more than 3, at large representatives from statewide
8 fur-bearing mammal hunting and trapping organizations
9 appointed by the Director. The Committee's duties shall be to
10 review and recommend all State Furbearer Projects, and to
11 review and recommend all expenditures from the State Furbearer
12 Fund.

13 (c) At the end of each license accounting period, if 6% of
14 the money collected from the sale of State Habitat Stamps and
15 deposited into the State Furbearer Fund is less than \$200,000
16 ~~\$100,000~~, the Director shall request a transfer and the State
17 Comptroller and State Treasurer shall transfer from the
18 Illinois Habitat Fund to the State Furbearer Fund the amount
19 necessary to bring the total deposited into the State Furbearer
20 Fund to \$200,000 ~~\$100,000~~.

21 (Source: P.A. 86-159; 86-1028; 87-135; 87-1015.)

22 (520 ILCS 5/3.2) (from Ch. 61, par. 3.2)

23 Sec. 3.2. Hunting license; application; instruction.
24 Before the Department or any county, city, village, township,
25 incorporated town clerk or his duly designated agent or any

1 other person authorized or designated by the Department to
2 issue hunting licenses shall issue a hunting license to any
3 person, the person shall file his application with the
4 Department or other party authorized to issue licenses on a
5 form provided by the Department and further give definite proof
6 of identity and place of legal residence. Each clerk
7 designating agents to issue licenses and stamps shall furnish
8 the Department, within 10 days following the appointment, the
9 names and mailing addresses of the agents. Each clerk or his
10 duly designated agent shall be authorized to sell licenses and
11 stamps only within the territorial area for which he was
12 elected or appointed. No duly designated agent is authorized to
13 furnish licenses or stamps for issuance by any other business
14 establishment. Each application shall be executed and sworn to
15 and shall set forth the name and description of the applicant
16 and place of residence.

17 No hunting license shall be issued to any person born on or
18 after January 1, 1980 unless he presents the person authorized
19 to issue the license evidence that he has held a hunting
20 license issued by the State of Illinois or another state in a
21 prior year, or a certificate of competency as provided in this
22 Section. Persons under 16 years of age may be issued a Lifetime
23 Hunting or Sportsmen's Combination License as provided under
24 Section 20-45 of the Fish and Aquatic Life Code but shall not
25 be entitled to hunt unless they have a certificate of
26 competency as provided in this Section and they shall have the

1 certificate in their possession while hunting.

2 The Department of Natural Resources shall authorize
3 personnel of the Department or certified volunteer instructors
4 to conduct courses, of not less than 10 hours in length, in
5 firearms and hunter safety, which may include training in bow
6 and arrow safety, at regularly specified intervals throughout
7 the State. Persons successfully completing the course shall
8 receive a certificate of competency. The Department of Natural
9 Resources may further cooperate with any reputable association
10 or organization in establishing courses if the organization has
11 as one of its objectives the promotion of safety in the
12 handling of firearms or bow and arrow.

13 The Department of Natural Resources shall designate any
14 person found by it to be competent to give instruction in the
15 handling of firearms, hunter safety, and bow and arrow. The
16 persons so appointed shall give the course of instruction and
17 upon the successful completion shall issue to the person
18 instructed a certificate of competency in the safe handling of
19 firearms, hunter safety, and bow and arrow. No charge shall be
20 made for any course of instruction except for materials or
21 ammunition consumed. The Department of Natural Resources shall
22 furnish information on the requirements of hunter safety
23 education programs to be distributed free of charge to
24 applicants for hunting licenses by the persons appointed and
25 authorized to issue licenses. Funds for the conducting of
26 firearms and hunter safety courses shall be taken from the fee

1 charged for the Firearm Owners Identification Card.

2 The fee for a hunting license to hunt all species for a
3 resident of Illinois is \$7. For residents age 65 or older, the
4 fee is one-half of the fee charged for a hunting license to
5 hunt all species for a resident of Illinois. Nonresidents shall
6 be charged \$50 for a hunting license.

7 Nonresidents may be issued a nonresident hunting license
8 for a period not to exceed 10 consecutive days' hunting in the
9 State and shall be charged a fee of \$28.

10 A special nonresident hunting license authorizing a
11 nonresident to take game birds by hunting on a game breeding
12 and hunting preserve area only, established under Section 3.27,
13 shall be issued upon proper application being made and payment
14 of a fee equal to that for a resident hunting license. The
15 expiration date of this license shall be on the same date each
16 year that game breeding and hunting preserve area licenses
17 expire.

18 Each applicant for a State Migratory Waterfowl Stamp,
19 regardless of his residence or other condition, shall pay a fee
20 of \$10 and shall receive a stamp. Except as provided under
21 Section 20-45 of the Fish and Aquatic Life Code, the stamp
22 shall be signed by the person or affixed to his license or
23 permit in a space designated by the Department for that
24 purpose.

25 Each applicant for a State Habitat Stamp, regardless of his
26 residence or other condition, shall pay a fee of \$10 ~~\$5~~ and

1 shall receive a stamp. Except as provided under Section 20-45
2 of the Fish and Aquatic Life Code, the stamp shall be signed by
3 the person or affixed to his license or permit in a space
4 designated by the Department for that purpose.

5 Nothing in this Section shall be construed as to require
6 the purchase of more than one State Habitat Stamp by any person
7 in any one license year.

8 The Department shall furnish the holders of hunting
9 licenses and stamps with an insignia as evidence of possession
10 of license, or license and stamp, as the Department may
11 consider advisable. The insignia shall be exhibited and used as
12 the Department may order.

13 All other hunting licenses and all State stamps shall
14 expire upon March 31 of each year.

15 Every person holding any license, permit, or stamp issued
16 under the provisions of this Act shall have it in his
17 possession for immediate presentation for inspection to the
18 officers and authorized employees of the Department, any
19 sheriff, deputy sheriff, or any other peace officer making a
20 demand for it. This provision shall not apply to Department
21 owned or managed sites where it is required that all hunters
22 deposit their license, permit, or Firearm Owner's
23 Identification Card at the check station upon entering the
24 hunting areas.

25 (Source: P.A. 93-554, eff. 8-20-03.)

26 Section 99. Effective date. This Act takes effect July 1,

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1 2007.