



97TH GENERAL ASSEMBLY

State of Illinois

2011 and 2012

HB3274

Introduced 2/24/2011, by Rep. Wayne Rosenthal - Jason Barickman - John D. Cavaletto - Kay Hatcher

SYNOPSIS AS INTRODUCED:

515 ILCS 5/20-45 from Ch. 56, par. 20-45
520 ILCS 5/3.2 from Ch. 61, par. 3.2

Amends the Fish and Aquatic Life Code. Commencing with the 2012 license year, sets (i) the fishing license fee for resident veterans after returning from service abroad or mobilization by the President at one-half of the fishing license fee for residents and (ii) the sportsmen's combination license fee at one-half of the sportsmen's combination license fee for residents. Requires veterans to provide verification of their service. Authorizes the Department to establish what constitutes suitable verification of service for the purpose of issuing these licenses to resident veterans at a reduced fee. Amends the Wildlife Code. Commencing with the 2012 license year, sets the hunting license fee for resident veterans after returning from service abroad or mobilization by the President at one-half of the hunting license fee for residents. Requires veterans to provide verification of their service. Authorizes the Department to establish what constitutes suitable verification of service for the purpose of issuing hunting licenses to resident veterans at a reduced fee. Effective April 1, 2012.

LRB097 07732 CEL 47843 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

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 Fish and Aquatic Life Code is amended by
5 changing Section 20-45 as follows:

6 (515 ILCS 5/20-45) (from Ch. 56, par. 20-45)

7 Sec. 20-45. License fees for residents. Fees for licenses
8 for residents of the State of Illinois shall be as follows:

9 (a) Except as otherwise provided in this Section, for
10 sport fishing devices as defined in Section 10-95 or
11 spearing devices as defined in Section 10-110, the fee is
12 \$14.50 for individuals 16 to 64 years old, ~~and~~ one-half of
13 the current fishing license fee for individuals age 65 or
14 older, and, commencing with the 2012 license year, one-half
15 of the current fishing license fee for resident veterans of
16 the United States Armed Forces after returning from service
17 abroad or mobilization by the President of the United
18 States commencing with the 1994 license year. Veterans must
19 provide, to the Department at the Department's office in
20 Springfield, verification of their service. The Department
21 shall establish what constitutes suitable verification of
22 service for the purpose of issuing fishing licenses to
23 resident veterans at a reduced fee.

1 (b) All residents before using any commercial fishing
2 device shall obtain a commercial fishing license, the fee
3 for which shall be \$35. Each and every commercial device
4 used shall be licensed by a resident commercial fisherman
5 as follows:

6 (1) For each 100 lineal yards, or fraction thereof,
7 of seine the fee is \$18. For each minnow seine, minnow
8 trap, or net for commercial purposes the fee is \$20.

9 (2) For each device to fish with a 100 hook trot
10 line device, basket trap, hoop net, or dip net the fee
11 is \$3.

12 (3) When used in the waters of Lake Michigan, for
13 the first 2000 lineal feet, or fraction thereof, of
14 gill net the fee is \$10; and for each 1000 additional
15 lineal feet, or fraction thereof, the fee is \$10. These
16 fees shall apply to all gill nets in use in the water
17 or on drying reels on the shore.

18 (4) For each 100 lineal yards, or fraction thereof,
19 of gill net or trammel net the fee is \$18.

20 (c) Residents of the State of Illinois may obtain a
21 sportsmen's combination license that shall entitle the
22 holder to the same non-commercial fishing privileges as
23 residents holding a license as described in subsection (a)
24 of this Section and to the same hunting privileges as
25 residents holding a license to hunt all species as
26 described in Section 3.1 of the Wildlife Code. No

1 sportsmen's combination license shall be issued to any
2 individual who would be ineligible for either the fishing
3 or hunting license separately. The sportsmen's combination
4 license fee shall be \$25.50. For residents age 65 or older,
5 the fee is one-half of the fee charged for a sportsmen's
6 combination license. For resident veterans of the United
7 States Armed Forces after returning from service abroad or
8 mobilization by the President of the United States, the
9 fee, commencing with the 2012 license year, is one-half of
10 the fee charged for a sportsmen's combination license.
11 Veterans must provide, to the Department at the
12 Department's office in Springfield, verification of their
13 service. The Department shall establish what constitutes
14 suitable verification of service for the purpose of issuing
15 sportsmen's combination licenses to resident veterans at a
16 reduced fee.

17 (d) For 24 hours of fishing by sport fishing devices as
18 defined in Section 10-95 or by spearing devices as defined
19 in Section 10-110 the fee is \$5. This license exempts the
20 licensee from the requirement for a salmon or inland trout
21 stamp. The licenses provided for by this subsection are not
22 required for residents of the State of Illinois who have
23 obtained the license provided for in subsection (a) of this
24 Section.

25 (e) All residents before using any commercial mussel
26 device shall obtain a commercial mussel license, the fee

1 for which shall be \$50.

2 (f) Residents of this State, upon establishing
3 residency as required by the Department, may obtain a
4 lifetime hunting or fishing license or lifetime
5 sportsmen's combination license which shall entitle the
6 holder to the same non-commercial fishing privileges as
7 residents holding a license as described in paragraph (a)
8 of this Section and to the same hunting privileges as
9 residents holding a license to hunt all species as
10 described in Section 3.1 of the Wildlife Code. No lifetime
11 sportsmen's combination license shall be issued to or
12 retained by any individual who would be ineligible for
13 either the fishing or hunting license separately, either
14 upon issuance, or in any year a violation would subject an
15 individual to have either or both fishing or hunting
16 privileges rescinded. The lifetime hunting and fishing
17 license fees shall be as follows:

18 (1) Lifetime fishing: 30 x the current fishing
19 license fee.

20 (2) Lifetime hunting: 30 x the current hunting
21 license fee.

22 (3) Lifetime sportsmen's combination license: 30 x
23 the current sportsmen's combination license fee.

24 Lifetime licenses shall not be refundable. A \$10 fee shall
25 be charged for reissuing any lifetime license. The Department
26 may establish rules and regulations for the issuance and use of

1 lifetime licenses and may suspend or revoke any lifetime
2 license issued under this Section for violations of those rules
3 or regulations or other provisions under this Code or the
4 Wildlife Code. Individuals under 16 years of age who possess a
5 lifetime hunting or sportsmen's combination license shall have
6 in their possession, while in the field, a certificate of
7 competency as required under Section 3.2 of the Wildlife Code.
8 Any lifetime license issued under this Section shall not exempt
9 individuals from obtaining additional stamps or permits
10 required under the provisions of this Code or the Wildlife
11 Code. Individuals required to purchase additional stamps shall
12 sign the stamps and have them in their possession while fishing
13 or hunting with a lifetime license. All fees received from the
14 issuance of lifetime licenses shall be deposited in the Fish
15 and Wildlife Endowment Fund.

16 Except for licenses issued under subsection (e) of this
17 Section, all licenses provided for in this Section shall expire
18 on March 31 of each year, except that the license provided for
19 in subsection (d) of this Section shall expire 24 hours after
20 the effective date and time listed on the face of the license.

21 All individuals required to have and failing to have the
22 license provided for in subsection (a) or (d) of this Section
23 shall be fined according to the provisions of Section 20-35 of
24 this Code.

25 All individuals required to have and failing to have the
26 licenses provided for in subsections (b) and (e) of this

1 Section shall be guilty of a Class B misdemeanor.

2 (Source: P.A. 96-831, eff. 1-1-10.)

3 Section 10. The Wildlife Code is amended by changing
4 Section 3.2 as follows:

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

6 Sec. 3.2. Hunting license; application; instruction.
7 Before the Department or any county, city, village, township,
8 incorporated town clerk or his duly designated agent or any
9 other person authorized or designated by the Department to
10 issue hunting licenses shall issue a hunting license to any
11 person, the person shall file his application with the
12 Department or other party authorized to issue licenses on a
13 form provided by the Department and further give definite proof
14 of identity and place of legal residence. Each clerk
15 designating agents to issue licenses and stamps shall furnish
16 the Department, within 10 days following the appointment, the
17 names and mailing addresses of the agents. Each clerk or his
18 duly designated agent shall be authorized to sell licenses and
19 stamps only within the territorial area for which he was
20 elected or appointed. No duly designated agent is authorized to
21 furnish licenses or stamps for issuance by any other business
22 establishment. Each application shall be executed and sworn to
23 and shall set forth the name and description of the applicant
24 and place of residence.

1 No hunting license shall be issued to any person born on or
2 after January 1, 1980 unless he presents the person authorized
3 to issue the license evidence that he has held a hunting
4 license issued by the State of Illinois or another state in a
5 prior year, or a certificate of competency as provided in this
6 Section. Persons under 16 years of age may be issued a Lifetime
7 Hunting or Sportsmen's Combination License as provided under
8 Section 20-45 of the Fish and Aquatic Life Code but shall not
9 be entitled to hunt unless they have a certificate of
10 competency as provided in this Section and they shall have the
11 certificate in their possession while hunting.

12 The Department of Natural Resources shall authorize
13 personnel of the Department or certified volunteer instructors
14 to conduct courses, of not less than 10 hours in length, in
15 firearms and hunter safety, which may include training in bow
16 and arrow safety, at regularly specified intervals throughout
17 the State. Persons successfully completing the course shall
18 receive a certificate of competency. The Department of Natural
19 Resources may further cooperate with any reputable association
20 or organization in establishing courses if the organization has
21 as one of its objectives the promotion of safety in the
22 handling of firearms or bow and arrow.

23 The Department of Natural Resources shall designate any
24 person found by it to be competent to give instruction in the
25 handling of firearms, hunter safety, and bow and arrow. The
26 persons so appointed shall give the course of instruction and

1 upon the successful completion shall issue to the person
2 instructed a certificate of competency in the safe handling of
3 firearms, hunter safety, and bow and arrow. No charge shall be
4 made for any course of instruction except for materials or
5 ammunition consumed. The Department of Natural Resources shall
6 furnish information on the requirements of hunter safety
7 education programs to be distributed free of charge to
8 applicants for hunting licenses by the persons appointed and
9 authorized to issue licenses. Funds for the conducting of
10 firearms and hunter safety courses shall be taken from the fee
11 charged for the Firearm Owners Identification Card.

12 The fee for a hunting license to hunt all species for a
13 resident of Illinois is \$12. For residents age 65 or older,
14 and, commencing with the 2012 license year, resident veterans
15 of the United States Armed Forces after returning from service
16 abroad or mobilization by the President of the United States,
17 the fee is one-half of the fee charged for a hunting license to
18 hunt all species for a resident of Illinois. Veterans must
19 provide, to the Department at the Department's office in
20 Springfield, verification of their service. The Department
21 shall establish what constitutes suitable verification of
22 service for the purpose of issuing resident veterans hunting
23 licenses at a reduced fee. Nonresidents shall be charged \$57
24 for a hunting license.

25 Nonresidents may be issued a nonresident hunting license
26 for a period not to exceed 10 consecutive days' hunting in the

1 State and shall be charged a fee of \$35.

2 A special nonresident hunting license authorizing a
3 nonresident to take game birds by hunting on a game breeding
4 and hunting preserve area only, established under Section 3.27,
5 shall be issued upon proper application being made and payment
6 of a fee equal to that for a resident hunting license. The
7 expiration date of this license shall be on the same date each
8 year that game breeding and hunting preserve area licenses
9 expire.

10 Each applicant for a State Migratory Waterfowl Stamp,
11 regardless of his residence or other condition, shall pay a fee
12 of \$15 and shall receive a stamp. Except as provided under
13 Section 20-45 of the Fish and Aquatic Life Code, the stamp
14 shall be signed by the person or affixed to his license or
15 permit in a space designated by the Department for that
16 purpose.

17 Each applicant for a State Habitat Stamp, regardless of his
18 residence or other condition, shall pay a fee of \$5 and shall
19 receive a stamp. Except as provided under Section 20-45 of the
20 Fish and Aquatic Life Code, the stamp shall be signed by the
21 person or affixed to his license or permit in a space
22 designated by the Department for that purpose.

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

26 The Department shall furnish the holders of hunting

1 licenses and stamps with an insignia as evidence of possession
2 of license, or license and stamp, as the Department may
3 consider advisable. The insignia shall be exhibited and used as
4 the Department may order.

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

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

17 (Source: P.A. 96-831, eff. 1-1-10.)

18 Section 99. Effective date. This Act takes effect April 1,
19 2012.