

MINUTES
HOUSE RESOURCES & CONSERVATION COMMITTEE

DATE: Thursday, February 13, 2020

TIME: 1:30 P.M.

PLACE: Room EW40

MEMBERS: Chairman Gibbs, Vice Chairman Gestrin, Representatives Moyle, Shepherd, Wood, Boyle, Vander Woude, Mendive, Kauffman, Blanksma, Addis, Lickley, Moon, Raybould, Rubel, Toone, Mason, Necochea

**ABSENT/
EXCUSED:** Representative(s) Blanksma

GUESTS: Greg Wooten, Scott Reinecker, Ed Schriever, Paul Kline, and Toby Boudreau, Idaho Department of Fish and Game; Jeff Bitton, Aaron Lieberman, and Doug Rigby, Idaho Outfitters and Guides Association; Lori Thomason and Joan Callahan, Idaho Outfitters and Guides Licensing Board; Larry Fry, Pheasants Forever; Misty Lawrence, DFM; John Watts, Boulder Creek

Chairman Gibbs called the meeting to order at 1:30pm.

MOTION: **Rep. Toone** made a motion to approve the minutes of the February 5, 2020 and February 7, 2020 meetings. **Motion carried by voice vote.**

H 396: **Rep. Troy**, District 5, stated this bill would direct the Fish and Game Commission to assist local authorities such as counties, cities, recreation districts, other political subdivisions, and non-profit clubs or associations in improving existing shooting ranges, constructing new shooting ranges, and providing assistance in relocating ranges where necessary. It also establishes the State Public Shooting Range Fund, which would be administered by the Fish and Game Commission.

MOTION: **Rep. Raybould** made a motion to send **H 396** to the floor with a **DO PASS** recommendation.

Paul Kline, Deputy Director, Idaho Department of Fish and Game, stated the Department worked closely with the bill sponsor on this bill and is **in support** of this bill because it aligns well with the Commission and Departments' priorities to improve and expand public shooting ranges in Idaho for a broad range of users.

In response to a question regarding how it will be determined what funding goes toward shooting ranges, **Rep. Troy** explained after discussion with Department staff and review of the Fines and Forfeiture account, it was determined hunter education was being supported without the Fines and Forfeiture account so those funds will now be available to support the public shooting range program.

**VOTE ON
MOTION:** **Chairman Gibbs** called for a vote on the motion to send **H 396** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. Troy** will sponsor the bill on the floor.

H 426: **Aaron Lieberman**, Executive Director, Idaho Outfitters and Guides Association, stated this is consensus legislation to correct language in **H 192**, passed in 2019, regarding laws governing the allocation and designation of deer and elk tags to outfitting operations for use by the outfitted public. He explained when the Idaho Outfitters and Guides Licensing Board tried to implement the new statute last year it was determined the statute did not provide sufficient authority and/or specific direction in certain sections to allow them to implement elements according to the original intent. Examples include the preferred/intended methodology for designation of allocated tags, hardship consideration, tag transfers, and exchanges. He stated after many hours of meetings last year with the Licensing Board, the Department of Fish and Game, the Office of the Governor, the Division of Financial Management, and outfitters statewide, consensus was reached on amending language to address and solve the concerns and issues. **H 426** is the product of those efforts.

Paul Kline, Deputy Director, Idaho Department of Fish and Game, stated the Fish and Game Commission is **in support** of **H 426** because it improves and clarifies a complicated section of statute that covers how outfitter tag allocations are calculated by the industry.

MOTION: **Rep. Gestrin** made a motion to send **H 426** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. Gestrin** will sponsor the bill on the floor.

S 1237: **Paul Kline**, Deputy Director, Idaho Department of Fish and Game, stated this bill addresses requests brought to the Commission by sportsmen and women to expand hunting opportunities in Idaho. As a result, this bill revises **Sections 36-409, 36-416, and 36-1401, Idaho Code**, to define resident and nonresident game tags for swans, establish sport tag fees for swans, provide authority to the Commission to require an Upland Game Bird Permit to hunt farm-raised pheasants stocked on properties that are in addition to state-owned wildlife management areas (WMAs) where birds are currently stocked, and to define that it is an infraction to fail to wear 36 square inches of visible hunter orange above the waist when hunting in new locations where the Commission requires an Upland Game Bird Permit.

Mr. Kline explained the Commission is proposing a three year experimental swan hunting season in the Panhandle Region of Northern Idaho, to begin October 2020, which include the four most northern counties (Benewah, Bonner, Boundary, and Kootenai). The experimental season would target Tundra Swans and 50 tags will be available on a first come first served basis. He explained Department staff worked with the Pacific Flyway Council and the U.S. Fish and Wildlife Service to define the experimental swan season, and in October 2019, it was approved. He stated Montana, Utah, and Nevada already have approved swan season framework in place dating back to the 1960's. If implemented in Idaho, swan hunter activity and harvest would be monitored and mandatory harvest reporting would be required to be completed and submitted within 72 hours of harvest.

Next, **Mr. Kline** reviewed the Upland Game Bird Permit portion of **S 1237**, stating the Department currently stocks nine WMAs with approximately 21,000 farm-raised pheasants annually. WMAs that receive stocked pheasants are located in the Southwest, Magic Valley, Southeast, and Upper Snake Regions. He indicated hunters and sportsmen's groups want to see this popular program expand beyond the nine WMAs where pheasants are currently stocked. He remarked that this bill is companion legislation to a rule that was before the legislature earlier in this Legislative Session, which provided the Commission authority to require a valid Upland Game Permit to hunt stocked pheasants on new locations they may choose as an expansion of the stocking program. He clarified the Commission already has the authority over the cultivation and distribution of pheasants to the nine WMAs. He concluded by stating there are no changes to the existing fee structure for an

Upland Game Permit and with the expansion to new locations, the Department estimates a five percent increase in permit sales which would help offset the increased costs for purchasing and stocking additional pheasants.

Committee members commented with concern that the new phrase "and other locations" found on page 2, line 46 was too open ended. **Mr. Kline** responded, pending the outcome from this Legislative Session no decisions regarding new locations have been made, but the Commission has received location recommendations from each regional supervisor including WMAs in Northern Idaho, two Bureau of Reclamation tracts in the Magic Valley, non WMA lands owned by the Department, as well as one or two Access Yes! private properties with access agreements already in place, all being considered to expand the program.

Larry Fry, representing Pheasants Forever Today, stood **in support** of **S 1237**.

MOTION:

After a lengthy discussion regarding committee concerns predominantly about the "and other locations" language, **Rep. Boyle** requested **S 1237** be held indefinitely and made a motion to hold **S 1237** in committee. **Motion carried by voice vote.** **Chairman Gibbs** and **Reps. Wood, Kauffman, Lickley, Raybould, and Toone** all requested to be recorded as voting **NAY**.

Chairman Gibbs recognized **Alicia Easterday**, the committee's Page, for her excellent work during the first six weeks of the Legislative Session.

ADJOURN:

There being no further business to come before the committee, the meeting was adjourned at 2:16pm.

Representative Gibbs
Chair

Tracey McDonnell
Secretary