

MINUTES
HOUSE RESOURCES & CONSERVATION COMMITTEE

DATE: Friday, March 03, 2017

TIME: 1:30 P.M.

PLACE: Room EW40

MEMBERS: Chairman Gibbs, Vice Chairman Gestrin, Representatives Moyle, Raybould, Shepherd, Wood, Boyle, Vander Woude, Miller, Burtenshaw, Mendive, Youngblood, Kauffman, Giddings, Blanksma, Erpelding, Rubel, Jordan

**ABSENT/
EXCUSED:** Representative(s) Vander Woude, Youngblood

GUESTS: Michael Gibson, Trout Unlimited; Ed Schriever, Sharon Kiefer, Michael Pearson, and Virgil Moore, Idaho Department of Fish and Game; Larry Fry, Dennis Radocha, and Jay Stark, ISA; Brian Brooks, Idaho Wildlife Federation; Grant Simonds, IOGA; Dennis Tanikuni, Idaho Farm Bureau; Amber Christofferson, DFM; Windy Schoby, Greg Schoby, Linda Kay, and Burk Mantel

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

MOTION: **Rep. Kauffman** made a motion to approve the minutes from the February 27, 2017 meeting. **Motion carried by voice vote.**

H 230: **Virgil Moore**, Director, Idaho Department of Fish and Game, stated **H 230** is essentially three bills rolled into one in order to better address the depredation concern and deliver important outcomes for fish and wildlife management and services for hunters, anglers, and trappers. The following are the four themes of **H 230**:

Theme one raises new dedicated revenue via a license endorsement fee required to purchase an annual license. The fee would be \$5.00 for resident adults, \$2.00 for other residents such as juniors and seniors, \$10.00 for nonresident adults, and \$4.00 for other nonresidents. The money would be deposited into a Fish and Game set-aside account to annually transfer \$500,000 into the expendable big game depredation account to pay wildlife damage claims. The next allocation of \$500,000 is for pronghorn antelope, deer, and elk depredation prevention on private lands and control of predators affecting these species. The new \$500,000 for claims enhances the existing funds essentially tripling the financial commitment of sportsmen's money for wildlife damage compensation claims.

This bill also increases funds from pronghorn antelope, deer, and elk tags from \$1.50 to \$3.50 per tag, into the Fish and Game set-aside account for the winter feeding program, as well as for pronghorn antelope, deer, and elk depredation prevention on private lands and control of predators affecting these species. There is also a complimentary change for the set-aside account from the Sportsman's Pak.

Additionally, the threshold of the expendable big game depredation account balance, for which transfer provisions for any unexpended and unencumbered balances applies, is increased from \$750,000 to \$2.5 million. When that threshold is reached, the unused balance flows back into the set-aside account specifically for pronghorn antelope, deer, and elk depredation prevention on private lands and control of predators affecting these species, thus, sportsmen's money allocated to address depredation issues remains focused on depredation and is not directed to any other purpose.

Theme two addresses concerns the compensation claim program is too burdensome for landowners. As a result, this bill revises several provisions identified as barriers. Revisions include accepting electronic notification as a form of written follow-up after the verbal notification of wildlife damage to crops has been made. Additionally, notification time has been increased from 10 to 20 days. This also increases the period prior to the initial damage notification, from 10 to 20 days, that the Department is held liable or accountable for wildlife damages.

Theme three addresses hunters and anglers priority for access programs such as easements and access agreements. To address this, the balance after the first \$1 million from license endorsement fees dedicated to wildlife depredation compensation and prevention, will remain in the Fish and Game set-aside account for sportsmen's access programs (excluding purchasing private property). Additionally, funds collected from each fishing license going into the Fish and Game set-aside account will be increased from \$2.00 to \$5.00. This increase continues support for construction, repair, or rehabilitation of fish hatcheries, lakes, and reservoirs, and would add fishing access as an authorized use of these funds.

Theme four addresses new revenue tools for the Department's broader portfolio to include a resident fee increase of approximately 20% with some other fee increases such as nonresident daily fishing licenses and the creation of a new control hunt application fee for moose, sheep, and goats. In addition, the Department would implement a price lock discount, which would provide a discount using the 2016 fees for eligible sportsmen who purchase an annual license in 2017, and every year after for at least five years and until Legislative review is complete. These price locked discounts include all licenses, tags, and permit products, not just the annual license, and the same permit or tag does not need to be purchased each year to retain the discount.

The price lock fee increase would generate an estimated \$3 million in additional revenue to be used to restore inflationary losses in programs and would fund enhancements such as: modernizing hatcheries, increasing fish production, conducting more big game population surveys, improving and maintaining public shooting ranges, and conducting more wildlife enforcement patrols. The price lock fee increase would become effective with the sale of the 2018 Fish and Game licenses on December 1, 2017. All other sections of this bill would become effective May 1, 2017, to accelerate the outcomes from the new license endorsement revenue and the related depredation policy revisions.

In response to questions regarding the process for wildlife damage compensation payments, **Director Moore** stated the Department wanted to add a level of flexibility to the wildlife depredation program to encourage landowners to use hunting as a means of wildlife depredation control. Director Moore yielded the podium to **Deputy Director Schriever** who explained how this bill changes the statute. Deputy Director Schriever stated if a landowner calls the Department to file a complaint of wildlife on his property, the Department would be able to respond to the landowner in an attempt to prevent depredation by hazing the wildlife, issuing a kill permit, or by working on a hunt structure to allow hunters to help the landowner alleviate the problem. With this additional information, and based on the actions taken during the depredation, the landowner would be eligible to file for compensation even if he hadn't provided hunting access in the previous year.

In response to questions regarding "reasonableness of access" to private property, **Director Moore** explained the Department will defer to the private landowner. The Department doesn't have authority to access private property without permission, but will try and work with the landowner to address wildlife depredation. Even so, there are some landowners who do not allow any hunting whatsoever on their property, so therefore would not be eligible to be compensated with wildlife depredation funds. For those landowners who will allow hunter access on their property, "reasonableness of access" to address wildlife depredation is viewed on a case by case basis, meaning in some situations one hunter may be reasonable, and in other situations multiple hunters may be reasonable.

Rep. Boyle made the recommendation to hear public testimony at this point in time, then return to committee questions. Without opposition from the committee, **Chairman Gibbs** called for public testimony to begin.

Those speaking **in support** of **H 230** were **Michael Gibson**, representing Trout Unlimited; **Larry Fry**, representing Idaho Sportsman Alliance; **Brian Brooks**, representing Idaho Wildlife Federation, **Grant Simonds**, representing Idaho Outfitters and Guides Association/Government Affairs; **Dennis Tanikuni**, representing Idaho Farm Bureau; and **Burk Mantel**, representing himself.

Chairman Gibbs requested the record reflect no one else came forward to testify on **H 230**.

In response to questions regarding landowner's frustration with the depredation claim process, **Deputy Director Schriever** explained that if an agreement could not be reached regarding the percentage of crop loss, a third-party arbitrator can be brought in to help with the decision.

In response to questions regarding the price lock language which states "for at least five years and until a Legislative review is complete," **Director Moore** explained the Department's intent is to bring this back to the Legislature for a review before the five year period is over in order to continue interactions and discussions between the Department and the Legislature. He also stated this is an experiment to see if they can generate more revenue by stimulating the public to buy licenses more often.

MOTION: **Rep. Wood** made a motion to send **H 230** to the floor with a **DO PASS** recommendation.

SUBSTITUTE MOTION: **Rep. Erpelding** made a substitute motion to **HOLD H 230** for time certain, March 7, 2017.

ROLL CALL VOTE: **Chairman Gibbs** requested a roll call vote on the substitute motion for **H 230**. **Substitute motion failed by a vote of 5 AYE and 9 NAY, 4 absent/excused.** **Voting in favor** of the substitute motion: **Reps. Gestrin, Shepherd, Miller, Giddings, and Erpelding.** **Voting in opposition** to the substitute motion: **Reps. Gibbs, Moyle, Raybould, Wood, Boyle, Burtenshaw, Mendive, Kauffman, and Blanksma.** **Reps. Vander Woude, Youngblood, Rubel, and Jordan were excused/absent.**

ROLL CALL VOTE: **Chairman Gibbs** requested a roll call vote on the original motion for **H 230**. **Original motion carried by a vote of 9 AYE and 5 NAY, 4 absent/excused.** **Voting in favor** of the original motion: **Reps. Gibbs, Gestrin, Raybould, Shepherd, Wood, Burtenshaw, Kauffman, Blanksma, and Erpelding.** **Voting in opposition** to the original motion: **Reps. Moyle, Boyle, Miller, Mendive, and Giddings.** **Reps. Vander Woude, Youngblood, Rubel, and Jordan were excused/absent.** **Rep. Gibbs** will sponsor the bill on the floor.

ADJOURN: There being no further business to come before the committee, the meeting adjourned at 3:00pm.

Representative Gibbs
Chair

Tracey McDonnell
Secretary