

MINUTES
SENATE RESOURCES & ENVIRONMENT COMMITTEE

DATE: Wednesday, January 24, 2024

TIME: 1:30 P.M.

PLACE: Room WW55

MEMBERS PRESENT: Chairman Burtenshaw, Vice Chairman Adams, Senators Guthrie, Den Hartog, Harris, Okuniewicz, Schroeder, Egbert (Semmelroth), and Taylor

ABSENT/ EXCUSED: None

NOTE: The sign-in sheet, testimonies and other related materials will be retained with the minutes in the committee's office until the end of the session and will then be located on file with the minutes in the Legislative Services Library.

CONVENED: **Chairman Burtenshaw** called the meeting of the Senate Resources and Environment Committee (Committee) to order at 1:30 p.m.

MINUTES APPROVAL: **Senator Guthrie** moved to approve the Minutes of January 15, 2024. **Vice Chairman Adams** seconded the motion. The motion carried by **voice vote**.

MINUTES APPROVAL: **Senator Den Hartog** moved to approve the Minutes of January 17, 2024. **Senator Schroeder** seconded the motion. The motion carried by **voice vote**.

S 1231 **FISH AND GAME - Amends existing law to provide that certain persons shall not be eligible to apply for any fishing, hunting, or trapping licenses, tags, or permits.** **Senator Foreman** explained this legislation amended Idaho Code § 36-1402 to add that any person whose privileges had not been suspended, and with outstanding fines from violations under this Title, was ineligible to apply for any hunting, fishing, or trapping license tag or permit until the fines were paid.

DISCUSSION: **Senator Schroeder** asked for clarification of the term "outstanding fines" and how this legislation would allow for violators with payment agreements or fines that were not yet due. **Senator Foreman** responded that the Idaho Department of Fish and Game (IDFG) worked with violators who owed fines as long as they made a good faith effort to pay. He stated he had additional legislation to address the difficulties IDFG had in collecting fine payments. **Senator Schroeder** stated the person with the information about the timeliness or promptness of fine payments was the Clerk of the Court and not IDFG, and asked if this was clarified in the additional legislation. **Senator Foreman** responded that between this legislation and the additional legislation the ability to collect and track fees would be much more workable.

Senator Guthrie asked how this legislation would apply to someone with a lifetime hunting or fishing license. **Senator Foreman** responded that for certain felonies and flagrant violations there were mandatory penalties, which included lifetime revocation. **Senator Guthrie** confirmed that people who committed misdemeanors would not be subject to any loss of their lifetime license, and asked for the reason for the change in wording from "fined" to "punished by a fine". **Senator Foreman** explained this change was made by the Legislative Services Office for clarity and not for a difference in meaning.

Chairman Burtenshaw asked if someone at IDFG could clarify how unpaid fines were reported. **Ellary TuckerWilliams**, Legislative and Community Engagement Coordinator, IDFG, explained that IDFG was dependent on the 44

Idaho counties to report when fines were paid, with some being better reporters than others. **Senator Taylor** asked how prevalent was the nonpayment of fees. **Ms. TuckerWilliams** responded that IDFG had about \$230,000 outstanding in restitution from about 100 to 120 people.

Senator Schroeder stated clarification regarding outstanding fines versus restitution may be needed in this legislation, and asked if a county routinely communicated with IDFG regarding the status of fine payments, but did not routinely communicate about restitution. **Ms. TuckerWilliams** responded yes, that reporting by counties regarding collected restitution was not a straightforward or consistent process.

TESTIMONY: **Jonathan Oppenheimer**, Government Relations Director, Idaho Conservation League, testified in favor of **S 1231**. He offered some suggestions for amendment, including clarification on how existing licence holders would be affected and increasing restitution amounts.

In response to comments by Mr. Oppenheimer, **Senator Foreman** stated he had additional legislation pending that would amend Idaho Code § 36-1404 to address increasing restitution amounts.

MOTION: **Senator Schroeder** moved to send **S 1231** to the 14th Order of Business for possible amendment. **Senator Guthrie** seconded the motion.

DISCUSSION: **Senator Den Hartog** asked Senator Schroeder what possible amendments to this legislation he would consider. **Senator Schroeder** stated clarifying the triggering event for outstanding fines, clarifying the difference between fines and restitution as a triggering event, and combining these updates with the additional legislation noted by Senator Foreman related to collecting restitution. **Chairman Burtenshaw** asked Senator Schroeder if he would work with Senator Foreman to amend **S 1231**. **Senator Schroeder** confirmed that he would.

VOICE VOTE: The motion to send **S 1231** to the 14th Order of Business for possible amendment carried by **voice vote**.

IDAHO FISH AND GAME REAPPOINTMENT: **Committee Consideration of the Idaho Fish and Game Reappointment of Brad Compton of Meridian, Idaho to Idaho Outfitters and Guides Licensing Board** for a term commencing May 11, 2023 and expiring June 1, 2026. **Mr. Compton** told the Committee about himself, his background, and why he wanted to serve on the Idaho Outfitters and Guides Licensing Board (Board). He shared he holds a bachelor's degree in biology and a master's degree in fish and wildlife management from Montana State University. He moved to Idaho in 1987 when he began working for IDFG, where he worked in multiple positions throughout Idaho for 33 years. He was elected to chairman of the Board in January 2021.

DISCUSSION: **Senator Harris** asked if Mr. Compton saw any progress in reducing the conflicts between the outfitters and non outfitters. **Mr. Compton** replied that they were seeing progress due to long standing efforts in the relationship between the Board, the Idaho Fish and Game Commission (Commission), and IDFG.

GUBERNATORIAL REAPPOINTMENT: **Committee Consideration of the Gubernatorial Reappointment of Don Ebert of Weippe, Idaho to the Idaho Fish and Game Commission** for a term commencing June 30, 2023 and expiring June 30, 2027. **Mr. Ebert** told the Committee about himself, his background, and why he wanted to serve on the Commission. He shared some of his history in public service, including serving as a county commissioner, on a city council, and on the Clearwater Basin Collaborative.

**DOCKET NO.
24-3501-2301**

Rules of the Outfitters and Guides Licensing Board - Proposed Rule. John Price, Bureau Chief for the Occupational Licensing Bureau of the Division of Occupational and Professional Licences (DOPL), and Executive Officer, Outfitters and Guides Licensing Board (OGLB) referred to the 2024 Senate Resources and Environment Committee Pending Rules Review Book posted on the Idaho Legislature website. He stated DOPL and OGLB completed a full chapter rules review which was approved by the Idaho Legislature in 2023. To ensure public concerns continue to be addressed, this year four proposed rules were modified as follows:

- Page 162: Rule 257.09(c), language was added to address the issue of double counting some allocated tags.
- Page 163: Rule 259.01, Clark Fork River, a second section was created to allow for two additional outfitters from Memorial Day through September 30.
- Page 165: Rule 259.01, Priest River, reduced the number of outfitters from five to two.
- Page 172: Rule 259.04, the number of outfitters on Hayden Lake increased from one to two and were moved to be covered under Other Lakes and Reservoirs in subsection .05.

DISCUSSION:

Senator Okuniewicz asked for clarification on the line out of Hayden Lake on the subsection .04 table on page 172. **Mr. Price** responded that by removing this from the table, it would fall under the next subsection .05, which included all remaining lakes and reservoirs. **Senator Okuniewicz** asked if they received any negative feedback on these changes. **Mr. Price** responded that the dates related to the second section on the Clark Fork were changed as a result of comments during Fish and Game meetings. **Vice Chairman Adams** asked where Bear Paw Point was, as noted in the change to the Clark Fork River section made on page 163. **Mr. Price** did not know, but stated he would get back to Senator Adams with the answer.

MOTION:

Senator Harris moved to approve **Docket No. 24-3501-2301**. **Senator Schroeder** seconded the motion. The motion carried by **voice vote**.

ADJOURNED:

There being no further business as this time, **Chairman Burtenshaw** adjourned the meeting at 2:15 p.m.

Senator Burtenshaw
Chair

Shelly Johnson
Secretary