

MINUTES
HOUSE RESOURCES & CONSERVATION COMMITTEE

DATE: Tuesday, February 09, 2016

TIME: 1:30 P.M.

PLACE: Room EW40

MEMBERS: Chairman Raybould, Vice Chairman Gestrin, Representatives Moyle, Andrus, Shepherd, Wood, Boyle, Vander Woude, Gibbs, Miller, Bateman, Burtenshaw, Mendive, VanOrden, Youngblood, Pence, Erpelding, Rubel

**ABSENT/
EXCUSED:** Rep. Moyle; Rep. Boyle

GUESTS: Len Young, Potlatch Timber Protective Association; Mark Woods, Southern Idaho Timber Protective Association; Jane Wittmeyer, Wittmeyer & Associates; Matt Reik, Intern; Windy Davis, IDFG; Sharon Keifer, Idaho Department of Fish and Game; Jerry Deckard, Associated Loggers; Rialin Florez, CVI; Roger A. Seber, A.L.C.; John Carver, Westerberg & Associates; Pat Barclay, ICIE.

Chairman Raybould called the meeting to order at 1:30 p.m.

MOTION: **Rep. Pence** made a motion to approve the minutes of the January 27, 2016 meeting. **Motion carried by voice vote.**

RS 24334C1: **Rep. Luke Malek** presented a House Concurrent Resolution that honors the state associated logging contractors. Rep. Malek asked for introduction of **RS 24334C1** because logging is an important industry in Idaho where the associated logging contractors served an important role. He would appreciate the opportunity to have a full hearing on the resolution.

MOTION: **Vice Chairman Gestrin** made a motion to introduce **RS 24334C1**. **Motion carried by voice vote.**

RS 24412C1: **Rep. Lynn Luker** presented **RS 24412C1**, relating to hunting, trapping and fishing licenses, by stating that the language of Idaho Code Section 36-401 is so breathtakingly broad that the term 'wildlife' is defined as every living creature. Under that broad definition, to trap a mouse or a gopher in your home or yard would require a license. This language conflicts with Article 1, Sections 23 of Idaho's Constitution, which forever preserves an Idahoan's rights to hunt, fish and trap using traditional methods. This legislation would amend existing exceptions to Idaho Code § 36-401 by expanding the exceptions that apply to children under the age of 12 or 14 so that they apply to any person without age limit. **RS 24412C1** would amend Idaho Code § 36-401(3) to allow any person to hunt, take or kill predatory and unprotected birds and animals by means other than with firearms and Idaho Code § 36-401(4) to allow any person to trap muskrats from irrigation ditches or property on which they live during the open season.

MOTION: **Rep. Gibbs** made a motion to introduce **RS 24412C1**. **Motion carried by voice vote.**

S 1213: **Sharon Kiefer**, Deputy Director, Idaho Department of Fish and Game, presented **S 1213** in response to the validity of the many concerns expressed by sportsmen that unmanned aircraft systems (drones) are not held to the same statutory hunting restrictions governing aircraft and motorized vehicles. In 2013, the Idaho legislature restricted the use of drones for un-permitted surveillance of individuals and private property. A survey of western states shows that 11 states and 1 province have placed various restrictions on drone use. **S 1213** includes drones in the existing hunting use restrictions in Idaho Code Section 36-1101 but does not create any new restrictions or interfere with the use of drones for permitted, authorized wildlife control actions or for recreational non-hunting uses such as wildlife or habitat photography.

MOTION: **Rep. Bateman** made a motion to send **S 1213** to the floor with a **DO PASS** recommendation.

In response to committee questions on whether scouting with drones would qualify as a recreational non-hunting activity, **Ms. Keifer** clarified that while in the air, a drone cannot communicate with an individual on the ground. Upon landing, pictures taken by the drone can be downloaded, but not while communicating in the air. A drone can be used like a trail camera and for photographing wildlife where there is no intention to hunt. Ms. Keifer believed that the same would apply to a hunter searching for a wounded animal, but that would involve further research.

VOTE ON MOTION: **Motion carried by voice vote. Rep. Bateman** will sponsor the bill on the floor.

Rep. Gibbs announced that he may not support **S 1213** on the floor depending upon what **Ms. Keifer's** research found.

Len Young, Chief Fire Warden, Clearwater-Potlatch Timber Protective Association (CPTPA), delivered a combined presentation for the CPTPA and for **Mark Woods**, Chief Fire Warden, Southern Idaho Timber Protective Association (SITPA), that provided a brief history and purpose of Idaho's Timber Protective Associations (TPAs). Under Idaho Code Section 38-111, owners of forest land must have a membership in a TPA or the director of the Idaho Department of Lands (IDOL) shall provide patrol and protection. CPTPA and SITPA are reviewed and approved annually by IDOL and the state is a member of both associations. CPTPA and SITPA are responsible for 2 of Idaho's 14 fire districts. Assessment rates for forest landowners are set by Idaho Code at \$.60 per acre of forested land or a minimum of \$15 for 25 acres or less, with a \$40 surcharge per parcel if a residential structure is present. A portion of the forest protective districts' preparedness costs and all suppression costs are born by the state General Fund. TPAs provide preparedness, fire suppression, training, equipment and experience. They build their own engines at half the cost of state equipment using their own effective machine shops. Warden Young presented statistics regarding the number of fires and acres burned for the last 15 years broken down into years and percentage of fires by acreage, and stated that 62% of the total acres burned from 2000-2015 occurred in 2015. CPTPA and SITPA are the only two remaining TPAs in Idaho.

Mark Woods, Chief Fire Warden, Southern Idaho Timber Protective Association, emphasized that CPTPA and SITPA are cooperative fire protection that gives Idaho the ideal situation of private, state and federal fire resources working together. He responded to committee questions by providing the information that volunteer firefighters are compensated for work in their area that goes beyond the initial attack. He further stated that less than 2% of their fires have gone over 10 acres in size, and the costs for 2015 fires where they protected their member, the State of Idaho, on federal lands were approximately \$13 million.

ADJOURN: There being no further business to come before the committee, the meeting adjourned at 2:14 p.m.

Representative Raybould
Chair

Lorrie Byerly
Secretary