

MINUTES  
**HOUSE RESOURCES & CONSERVATION COMMITTEE**

**DATE:** Tuesday, March 13, 2012

**TIME:** 1:30 p.m. or Upon Adjournment

**PLACE:** Room EW40

**MEMBERS:** Chairman Stevenson, Vice Chairman Shepherd, Representative(s) Wood(35), Barrett, Moyle, Eskridge, Raybould, Bedke, Andrus, Wood(27), Boyle, Hagedorn, Harwood, Vander Woude, Gibbs, Pence, Higgins, Lacey

**ABSENT/  
EXCUSED:** Representatives Moyle, Bedke and Higgins

**GUESTS:** Joie McGarvin, ICOA; Sharon Kiefer, IDFG; Dennis Tanikuni, Idaho Farm Bureau; Dennis Stevenson, Rules Coordinator

**Chairman Stevenson** called the meeting to order at 2:17 p.m.

**MOTION:** **Rep. Boyle** made a motion to approve the minutes of Thursday, March 1, 2012 and Wednesday, March 7, 2012. **Motion carried by voice vote.**

**H 458:** **Sharon Kiefer**, Deputy Director, Department of Fish and Game, said this bill would add a wolf tag to the existing Sportsman's Pak (Sportpak) license package and adjust fees for the added tag. She said hunters can still purchase more than one wolf tag if they want, but this will only add one wolf tag to the Sportpak. Ms. Kiefer said the increased cost to the tag, including vendor fees, would be \$7.00.

**MOTION:** **Rep. Gibbs** made a motion to send **H 458** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. Gibbs** will sponsor the bill on the floor.

**SCR 121:** **Sharon Kiefer**, explained the Rule, **Docket No. 13-0104-1102**, saying this is regarding the landowner appreciation tag program which provides special hunting opportunities for landowners. She said the program would be voluntary and would provide incentives for landowners.

**Dennis Stevenson**, Rules Coordinator, said the House Committee did approve the rule, but the Senate Committee rejected the Rule. He said the House would need to concur with the Senate to reject the Rule.

**Rep. Gibbs** said the Subcommittee did review and debate the Rule and decided to accept it.

In response to Committee questions, **Sen. Pearce** said the Rule wasn't debated heavily in the Senate Committee, but there was a general consensus that they didn't like the tag Rule and wanted to reject it.

**Rep. Wood(35)** said the Subcommittee did have some discomfort about allowing the extra tags to go to the land owners and about the ability to resell those tags.

**Rep. Gibbs** said these tags were to be used to enhance the Access Yes Program which hasn't really taken off. He said there was some discomfort with this pool of tags not being used.

In response to Committee questions, **Ms. Kiefer** said if the Rule is rejected by this resolution, the extra tags would be redesignated into the Landowner Appreciation Program (LAP). She said all existing LAP Rules would apply and Fish and Game would not create the new program.

**MOTION:** **Rep. Gibbs** made a motion to concur with the Senate Committee to reject the rule. **Motion carried by voice vote.** **Rep. Wood(35)** will sponsor the bill on the floor.

**SCR 120:** **Sen. Pearce** gave a history of the resolution from Water Resources. He said they wrote a new resolution which would reject the original order from the Department of Water Resources and stop the application to appropriate water. He said the Department concurred in the Senate Committee with the rejection.

**Brian Patton**, Dept. of Water Resources, said when the original legislation came up in front of the Senate Committee the Bonner County Commissioners opposed the action. He said they started the process of rejecting the application on the request of the local community. He said the Water Resources Department and the Water Board have no objection to this.

In response to Committee questions, **Mr. Patton** said the rejection in this legislation will stop the permit. **Rep. Eskridge** said he would support this measure, but the issue is not settled in the area and he would encourage the Water Board to continue discussions with the local community on the issue. He said they need to find a solution that will be meaningful to everyone involved.

**MOTION:** **Rep. Harwood** made a motion to send **SCR 120** to the floor with **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. Harwood** will sponsor the bill on the floor.

**S 1321AA:** **Sen. Pearce** reviewed the changes in the bill. He said the money in the winter feeding account is not being used as the sportsmen thought it would be. He said the money in the account should be used solely for feeding purposes. **Sen. Pearce** said the winter feeding program is needed to help sustain the elk and deer herds. He said the bill also allows for a report by the Fish and Game Department for the expenditures from the account.

In response to Committee questions, **Sen. Pearce** said there are volunteers that do most of the feeding and the Department has adequate resources to get supplies distributed. He said the Department has other money available for range rehabilitation, the money in this account should be used exclusively for winter feeding.

**MOTION:** **Rep. Wood(35)** made a motion to send **S 1321aa** to the floor with a **DO PASS** recommendation.

**Sharon Kiefer**, Department of Fish and Game, said the Fish and Game Commission have discussed the amended bill and they do not support it. She gave a background of the winter feeding set-aside account. She said \$0.75 from antelope, elk, and deer tags go into the set-aside account. She said it was suggested the Department told sportsmen that this would just be for winter feeding, but the account is also set up for winter range rehabilitation. **Ms. Kiefer** said when the account reaches the point of \$400,000 funds can be used for rehabilitation of winter range. She said only the "overflow" funds over \$400,000 can be used for the rehabilitation.

**Ms. Kiefer** explained how the winter feeding advisory committees provide local input on when and where winter feeding is needed. She gave a specific example of the criteria for winter feeding. She explained the winter feeding program expenditures. She said the account is set up to create more income during easy winters and provide enough funding for feeding during hard winters. She said the fund is specific on what the money can be used for.

**Ms. Kiefer** said **S 1321aa** restricts spending of the winter feeding set-aside account funds to no longer cover all of emergency winter feeding actions. She said they would no longer be able to use account funds for labor on winter range rehabilitations and would no longer be able to use the winter feeding funds to get the product in or on the ground. She gave examples of what would and would not be allowable for winter feeding and winter range rehabilitations. She said the approach of **S 1321aa** at feeding might be a disincentive in winter range feeding and range rehabilitation. She said the Fish and Game Commission is not in support of the legislation.

In response to questions from the Committee, **Ms. Kiefer** said they appreciate their volunteers, but volunteers can't always be there when needed. She said the bill would not allow for getting the feed on the ground by Department personnel. She also said in response to Committee questions that the mule deer initiative is a winter range building effort. She said the funding provided from this fund is not the only source of funding for the mule deer initiative. She said they do not object to the fiscal reporting required in the bill.

**Dennis Tanakuni**, Idaho Farm Bureau, expressed the Farm Bureau's support of the bill as amended. They agreed the funds should only be used for that purpose. He said they are primarily concerned with feeding animals in an emergency situation.

**Sen. Pearce** said in summary they are dealing with a philosophy that the Fish and Game are not concerned with winter feeding and use these funds for whatever they want. He said the Fish and Game had no way to track the spending. He said they found that the funds were not always used for the purpose of winter feeding and now the Fish and Game are more careful in spending. He said the public is concerned about this issue and they need to do better in maintaining herds under pressure.

**Rep. Wood(27)** said winter feeding has always been a big issue. He said there is a philosophy about what winter feeding is. He said when he was on the Fish and Game Commission these funds were not used for pickups or other things. He thought this legislation was too restrictive and didn't allow for the cost of getting the product to the animals.

**SUBSTITUTE MOTION:**

**Rep. Wood(27)** made a substitute motion to **HOLD S 1321aa** in Committee.

**Rep. Barrett** spoke in support of the original motion. **Rep. Gibbs** and **Rep. Pence** spoke in support of the substitute motion. **Rep. Boyle** said the winter feeding issue is what brought her to the Legislature and the issue of the Fish and Game claiming to feed animals and then animals were not being fed. She said she will support the original motion. **Rep. Hagedorn** said he also came into the political realm over the winter feeding issue and said the statute needs to be reevaluated and changed. He said the low recruitment of elk is an emergency and the organization is basing their decisions on starving animals only. He said he would support the original motion. **Rep. Lacey** said the bill does not solve the problems and is too narrow, he would support the substitute motion.

**ROLL CALL VOTE ON SUBSTITUTE MOTION:**

Roll call vote was requested on the substitute motion to **HOLD S 1321aa** in Committee. **Substitute motion failed by a vote of 6 AYE, 9 NAY, 3 Absent/Excused. Voting in favor** of the motion: **Reps. Eskridge, Wood(27), Gibbs, Pence, Lacey and Stevenson. Voting in opposition** to the motion: **Reps. Shepherd, Wood(35), Barrett, Raybould, Andrus, Boyle, Hagedorn, Harwood and Vander Woude. Reps. Moyle, Bedke and Higgins were Absent/Excused.**

**VOTE ON ORIGINAL MOTION:**

**Original motion carried by voice vote. Rep. Wood(35)** will sponsor the bill on the floor.

**ADJOURN:** There being no further business to come before the Committee, the meeting adjourned at 3:44 p.m.

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Representative Stevenson  
Chairman

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Susan Werlinger  
Secretary