

MINUTES
HOUSE RESOURCES & CONSERVATION COMMITTEE

DATE: Monday, March 19, 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:** Representative Gibbs

GUESTS: Sharon Kiefer, Department of Fish and Game.

Chairman Stevenson called the meeting to order at 2:45 p.m.

HJR 2: **Sen. Heider**, said this resolution will provide for a Constitutional Amendment to be voted on by the citizens of the State of Idaho. He said it will provide for the rights to hunt, fish and trap, including by the use of traditional methods, are a valued part of the heritage of the state of Idaho and shall forever be preserved for the people and managed through the laws, rules and proclamations that preserve the future of hunting, fishing and trapping. He said this will provide that public hunting, fishing and trapping of wildlife shall be a preferred means of managing and controlling wildlife and to provide that the rights set forth do not create a right to trespass on private property, shall not affect rights to divert, appropriate and use water, or establish any minimum amount of water in any water body, and shall not lead to a diminution of other private rights.

Sen. Heider said they have had input from the Attorney General, Department of Fish and Game and Department of Water Resources and all agree on the language. He said several other states have adopted this Constitutional Amendment. He said some people have asked why we need to add this right, that we already have it. He said it is not in the Constitution and this will state it in the Idaho Constitution.

Sen. Heider said the National Rifle Association (NRA) added the language "managing and controlling". He said the Department of Fish and Game didn't like the word "controlling" and thought it should be taken out. The NRA agreed to take out "controlling".

In response to Committee questions, **Sen. Heider** clarified the NRA did agree that "controlling" was redundant and thought "managing" was sufficient. He said the NRA was excited to see Idaho amend the Constitution. He said they are trying to benefit the people of Idaho.

Rep. Wood(27) said people have been struggling to put this amendment in the Constitution for many years. He thought **Sen. Heider** should be commended for finally finding the appropriate language to put into the Constitution.

MOTION: **Rep. Wood(35)** made a motion to send **HJR 2** to General Orders. **Rep. Barrett** seconded the motion.

Sharon Kiefer, Idaho Department of Fish and Game, said the Commission supports the desire to uphold the right to trap, fish and hunt. She said they were concerned with the phrase "and controlling". She explained the Fish and Game Commission's concern. She said they were concerned the language created a threshold for homeowners and livestock owners on private land as a means of control. She said the tools of wildlife control are different from other regulated controls. She said there is a difference in managing and control efforts. She said she wanted to provide some rationale for the Commission's concern with the phrase in the Resolution.

Norm Semanko, Idaho Water Users Assoc., said they have been very involved with this issue. He said the right to divert and appropriate waters is in the Constitution, but this amendment will not interfere with this right. He said water users support the water language and have no opinion on the underlying Constitutional Amendment.

**VOTE ON
MOTION:**

Motion carried by voice vote. Rep. Boyle will sponsor the bill on the floor.

Chairman Stevenson introduced his wife, daughter and granddaughter who were here for the Committee meeting.

ADJOURN:

There being no further business to come before the Committee, the meeting adjourned at 3:15 p.m.

Representative Stevenson
Chairman

Susan Werlinger
Secretary