

MINUTES
SENATE RESOURCES & ENVIRONMENT COMMITTEE

DATE: Monday, March 26, 2012

TIME: 1:00 P.M.

PLACE: Room WW55

MEMBERS PRESENT: Chairman Pearce, Vice Chairman Bair, Senators Cameron, Siddoway, Brackett, Heider, Tippetts, Werk, and Stennett

**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.

CALL TO ORDER: **Chairman Pearce** called the meeting to order at 1:00 P.M. He asked Senator Heider to present HJR 002a.

HJR 002A: **Senator Heider** said HJR 002a is the House version of SJR 106 that was sent to them, which is the right to hunt, fish, and trap. He explained the changes that were made.

The National Rifle Association (NRA) wanted the words "including by the use of traditional methods" and "managed through the laws, rules and proclamations that preserve the future of hunting, fishing and trapping" added, which was done. The NRA originally had "managing and controlling wildlife", but the Idaho Department of Fish and Game (IDFG) had the NRA attorney in Washington remove the words "and controlling" and just leave "managing wildlife". The IDFG was much happier with that.

The last portion satisfied the Idaho Water Users and maintained private property rights. At the end, the words "and shall not prevent the suspension or revocation, pursuant to statute enacted by the legislature, of an individual's hunting, fishing or trapping license." **Senator Heider** said that what that means is if you break a law, the IDFG still has the right to suspend or revoke your license. Just because you have been given that right does not mean that it can't be taken away if you violate a privilege.

Senator Heider said that he feels like he started out with a good resolution and it has been worked through several times; however, when the NRA came to town, it had to be changed; looking at judicial review, some changes were needed. He said that with the changes, it gave more people an opportunity to evaluate it and say what they thought was important and these changes were necessary for those on the other side of the Rotunda to want to incorporate it into the Constitution of the State of Idaho.

The Senator said that he wanted to comment about the Attorney General's opinion which was requested by Senator Werk. With the AG's opinion, Senator Heider feels that the resolution will not be overturned if contested. He suggested to the Committee that HJR 002a be sent to the floor with "do pass" recommendation.

MOTION: **Vice Chairman Bair** made a **motion** to send HJR 002a to the floor with a "do pass" recommendation. The motion was **seconded** by **Senator Siddoway**. The **Chairman** stated that there was more testimony regarding this bill.

- TESTIMONY:** **Ms. Sharon Kiefer, Deputy Director, IDFG**, said that the Department recognizes the issues that were brought forward, and from a technical perspective, they are comfortable with it going to the people. A copy of her full testimony is attached.
- TESTIMONY:** Written testimony was submitted by **Pamela Williams**, Boise, asking the Committee to **not** proceed with this resolution. She feels that trapping is unnecessary, non-selective, and vicious in its infliction of suffering. She stated that there are other management tools available that deliver a swift and merciful death. Her testimony is attached.
- Senator Werk** said that he wanted to thank the House for helping us to save us from ourselves. He stated that the Attorney General's opinion makes it exceedingly clear that what's going to happen over the years is that anytime Fish and Game looks to move in a particular direction associated with traditional hunting methods, people will have the ability to use this constitutional amendment as the anchor for their next lawsuit to try to overrule what Fish and Game is trying to do. He told Senator Heider that he appreciated all the work that he has put into this bill and respects him for all his efforts, but he cannot support the bill.
- ROLL CALL VOTE:** **Chairman Pearce** said a roll call vote would be taken. Voting **aye** were Chairman Pearce, Vice Chairman Bair, Senators Siddoway, Heider, Tippetts, Cameron and Brackett. Voting **nay** were Senators Stennett and Werk. The motion **passed** 7-2. **Senator Heider** will be the floor **sponsor**.
- MOTION:** **Senator Siddoway** said that he had reviewed the minutes of March 19 and found them to be accurate and made the **motion** that they be approved. The motion was **seconded** by **Vice Chairman Bair**. The motion **passed** by unanimous voice vote.
- PAGE APPRECIATION:** **Chairman Pearce** asked the Committee's Page, Janae Godfrey, to come to the podium so that the Committee could honor her. Janae is from Soda Springs and has an older sister who served as a Senate Page. When asked about her experience here at the Capitol, Janae said that she learned a lot and now has an appreciation for government. (In fact, she likes it!) Her plan after graduation is to attend the LDS Business College and to work with her three sisters in their family business.
- Chairman Pearce** presented Janae with a letter of appreciation, signed by the Committee members, and a Senate watch. He wished her well in her future endeavors.
- ADJOURN:** The meeting was adjourned at 1:20 P.M.

Senator Pearce
Chairman

Juanita Budell
Secretary