

MINUTES  
**SENATE RESOURCES & ENVIRONMENT COMMITTEE**

**DATE:** Monday, January 19, 2015

**TIME:** 1:30 P.M.

**PLACE:** Room WW55

**MEMBERS PRESENT:** Chairman Bair, Vice Chairman Vick, Senators Cameron, Siddoway, Brackett, Heider, Nuxoll, Stennett, and Buckner-Webb

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

**WELCOME:** **Chairman Bair** welcomed the returning Committee members, Senators Cameron, Siddoway, Brackett, Heider, and Stennett and the three new Committee members, Senators Vick, Nuxoll and Buckner-Webb.

**Chairman Bair** also recognized the Committee's page, Mariem Mastouri. Mariem is from Tunisia, North Africa, and is presently an exchange student at Payette High School. She has developed a passion for politics and feels that being a page would give her firsthand knowledge of government at the state level.

**PASSED THE GAVEL:** Chairman Bair passed the gavel to Vice Chairman Vick to conduct the hearing regarding rules for the Fish and Game Commission.

**Vice Chairman Vick** welcomed Ms. Sharon Kiefer, Assistant Director - Policy, Idaho Department of Fish and Game (IDFG), who made the presentation.

**DOCKET NO. 13-0102-1401** **Rules Governing Hunter Education And Mentored Hunting.** **Ms. Kiefer** said the rules that govern the Mentored Hunting Program must be amended due to H 399, passed last year, which lowered the age of youth who hunt big game from 12 years to 10 years of age.

There was discussion regarding the mandatory Hunter Education Program. All students being certified under this program must have successfully completed at least ten hours of instruction in firearms safety, wildlife management, wildlife law, hunter ethics, and first aid/survival, plus have practical experience in the handling and shooting of firearms. If the student is under the age of 12, a parent or legal guardian is to attend the shooting clinic with the student, It is preferable that the adult attending will be the same adult who will accompany the student into the field while hunting. The field exercise is a mandatory requirement, but a live fire exercise is not. **Ms. Kiefer** was asked about shooting clinics and she explained that they are a voluntary opportunity that allow instructors to host a day at the range.

**DOCKET NO. 13-0104-1402** **Rules Governing Licensing.** **Ms. Kiefer** stated that this rule is to comply with changes in law. Last year S 1278 was passed to simplify the licensing and eligibility procedures for nonresident disabled American veterans to get reduced fee licenses and tags. This rule is a straight forward amendment to comply with new law. There are three different avenues for veterans to receive eligibility for reduced licenses and tags and nonresident disabled veterans must meet the same criteria as resident disabled veterans. The only difference is in the cost.

**DOCKET NO.  
13-0104-1403**

**Rules Governing Licensing. Ms. Kiefer** explained that the rules that reference qualified organizations for the disabled veteran big game tag program must be amended to add IRS status 501(c)(4) and 501(c)(19) organizations to comply with the new law. These organizations are also required to have a mission statement that they provide assistance to disabled veterans. Five big game tags will be made available to eligible disabled veterans, as certified by the Department of Veterans Affairs. Also, a qualified applicant must be sponsored by a qualified nonprofit organization or by a government agency.

**DOCKET NO.  
13-0104-1404**

**Rules Governing Licensing. Ms. Kiefer** said this rule would give authority to add bear tags to the Landowner Appreciation Program (LAP). This is in response to H 467 which was passed last session. Negotiated rulemaking regarding turkeys will be added to LAP at a future date.

**DOCKET NO.  
13-0108-1402**

**Rules Governing the Taking of Big Game Animals in the State of Idaho. Ms. Kiefer** stated that this rule would allow the Commission to designate specific unlimited controlled hunts for deer and elk as first-choice only. This means that individuals applying for the designated unlimited controlled hunts for deer or elk would have to put down that hunt as their first choice on their controlled hunt application. Because it is an unlimited controlled hunt, they would automatically receive it. Currently, some individuals apply for a controlled hunt and then put down one of the unlimited controlled hunts as their second choice. IDFG has general hunts, unlimited controlled hunts (no caps), and regular controlled hunts (limitation on the number of tags).

Questions asked relating to this subject included: the number of unlimited hunts; how many people this is potentially affecting; what was the success ratio in those hunts. Also, a request for a map of where unlimited hunts are located was made. **Ms. Kiefer** said she would make that information available to the Committee.

Ms. Kiefer was asked to comment on the negotiated rule making for this docket. **Ms. Kiefer** replied that it was posted in the Administrative Bulletin on the Commission's website to take public comment, media releases, and information through the regions. The Commission received 209 comments; 62 percent of respondents expressed support for the change; 36 percent were opposed, but some of the opposition was because of the pronghorn. That is why the Commission made this only applicable to deer and elk.

**DOCKET NO.  
13-0108-1403**

**Rules Governing the Taking of Big Game Animals in the State of Idaho. Ms. Kiefer** said the reason for this rule is to change the hunting age from 12 to 10 to comply with laws that were revised last year.

**DOCKET NO.  
13-0108-1404**

**Rules Governing the Taking of Big Game Animals in the State of Idaho. Ms. Kiefer** stated that this rule comes about with regards to the elk management plan which the Commission has recently approved. The intent of the plan is to recognize that some of the elk zones, and units within the zones, need realignment to better manage the herds within the zones, and to provide more balanced hunting opportunities.

This amendment reorganizes some of the elk zones. The zones involved are: the Smoky Mountains, Bennett Hills, Owyhee/South Hills, Teton, Palisades, Island Park, and Bannock. This is part of the Statewide Elk Management Plan development, which has been a three year public process.

**Senator Brackett** stated that, for the record, he would like IDFG to further define the South Hills zone. In reality, there are three separate herds as their habitat is different, their patterns are different, and some stay in the canyon. Many of the three South Hills unit summer in Idaho and winter in Nevada and there are complete differences in their patterns. Senator Brackett feels it would serve the hunters better if the Department would further break down the unit.

**DOCKET NO.  
13-0109-1401**

**Rules Governing the Taking of Game Birds in the State of Idaho.** The purpose of this rule is to give the Commission the flexibility to modify shooting hours on Wildlife Management Areas where pheasants are stocked. The change is needed to: 1) address human safety concerns where employees/volunteers stocking upland game birds and vehicles were sprayed with shotgun pellets; 2) help further distribute stocked upland game birds; and 3) reduce conflict between waterfowl hunters and upland game bird hunters using the same property.

There was some discussion regarding the wording in the method of take under Section 300. 01.a. **Ms. Kiefer** responded by saying that it would be taken under advisement.

**Vice Chairman Vick** issued an opportunity for anyone in the audience to testify on any of the rules that were presented. No one responded.

**Vice Chairman Vick** stated that voting on these rules would be held at the next Committee meeting. He thanked Ms. Kiefer for her presentation of the rules review for the Fish and Game Commission.

**PASSED THE  
GAVEL:**

Vice Chairman Vick returned the gavel to Chairman Bair.

**ANNOUNCE-  
MENTS:**

**Chairman Bair** thanked the Committee for their participation in the discussion of the rules. The next meeting of the Committee will be on Wednesday, and the rules of the Idaho Department of Parks and Recreation will be heard.

**ADJOURNED:**

There being no further business at this time, **Chairman Bair** adjourned the meeting at 2:30 p.m.

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Senator Bair  
Chair

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Juanita Budell  
Secretary