

MINUTES
SENATE RESOURCES & ENVIRONMENT COMMITTEE

DATE: Monday, January 27, 2020

TIME: 1:30 P.M.

PLACE: Room WW55

MEMBERS PRESENT: Chairman Heider, Vice Chairman Brackett, Senators Bair, Johnson, Mortimer, Patrick, Guthrie, and Jordan

ABSENT/ EXCUSED: Senator Stennett

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 Heider** called the meeting of the Senate Resources and Environment Committee (Committee) to order at 1:31 p.m.

GUBERNATORIAL APPOINTMENT: **Senator Mortimer** moved to send the Gubernatorial appointment of Derick Attebury to the Idaho Fish and Game Commission to the floor with recommendation that he be confirmed by the Senate. **Vice Chairman Brackett** seconded the motion. The motion carried by **voice vote**.

S 1237 Relating to Fish and Game, to provide for game tags for swan, to revise provisions regarding upland game bird permits, to revise hunter orange requirements, and to make technical corrections.

Paul Kline, Deputy Director Programs/Policy, Idaho Department of Fish and Game (IDFG), introduced himself and other IDFG staff present: Director Ed Schriever, Michael Pearson, and Toby Boudreau. He stated that this bill revises Idaho Code §§ 36-409, 36-416, and 36-1401 to:

- define resident and non-resident game tags for swan;
- establish sport tag fees for swan;
- provide authority to the Fish and Game Commission (FGC) to require the purchase of an Upland Game Bird Permit (UGBP) to hunt farm-raised pheasants stocked on properties that are in addition to state owned wildlife management areas; and
- to define that it is an infraction to fail to wear 36 square inches of visible hunter orange above the waist when hunting in locations where the FGC requires an UGBP.

Mr. Kline informed the Committee this proposed legislation addresses requests brought to the FGC by sportsmen and women to expand hunting opportunities in Idaho. He reported that the FGC is proposing a three-year experimental swan hunting season in the Panhandle Region of northern Idaho to commence in October 2020. This experimental season would make 50 tags available on a first-come, first-serve basis.

Mr. Kline explained how flyway councils were developed in 1952 to serve as a forum for increased cooperation in the management of migratory game birds between the states and the U.S. Fish and Wildlife Service. He expounded that in August 2019, the Pacific Flyway Council recommended a change to the swan season framework to allow a swan season in northern Idaho; this change was

approved by the U.S. Fish and Wildlife Service in October 2019. He specified that Montana, Utah, and Nevada have swan season frameworks already, providing statistics for each state and their respective swan seasons. He also stated that if this bill is approved and implemented in Idaho, swan hunter activity and harvest would be monitored via questionnaire, and mandatory harvest reporting to be submitted within 72 hours of harvest.

He commented that there is no fiscal impact to the General Fund.

Mr. Kline discussed the Upland Game Bird Permit (UGBP) and that currently IDFG stocks nine Wildlife Management Areas (WMA) with a total of approximately 21,000 farm-raised pheasants annually. He went on to explain that hunters have expressed interest in expanding this program beyond these nine WMAs, including additional IDFG WMAs, Bureau of Reclamation property, Idaho Department of Lands property, other IDFG property, and Access Yes! properties. He assured that to fund expansion, the IDFG's fiscal year 2021 budget includes a line item request for this purpose and therefore would have no impact on the General Fund. He assured that this bill does not revise the existing fee for an UGBP.

DISCUSSION:

Senators Patrick and **Bair** discussed with **Mr. Kline** the popularity of swan hunting in the other states, the proposed hunt success rate in Idaho, and how hunters would be able to tell the difference between different types of swans. **Toby Boudreau**, Chief of Wildlife, IDFG participated in the discussion, and also stated that there would be no penalty to a hunter who mistakenly shoots the wrong bird during the experimental time period.

Senator Jordan and **Mr. Kline** discussed the specific deletions from the bill on page 2 regarding private property access and the funding to pay for doubling the current number of birds IDFG stocks.

Senator Guthrie and **Mr. Kline** discussed the species of swans in Idaho, penalties for killing a trumpeter swan, incidental harvest of tundra swans, what programs are being compromised to pay for this program, the Access Yes! program and paying land owners, and authority to manage migratory birds.

Mr. Kline pointed out that the FGC has the authority to stock farm-raised pheasants; this bill is requesting the ability to sell a permit to offset the cost of raising the additional birds. He detailed that currently IDFG can only sell permits for birds on WMAs and this bill covers the program as it expands to other areas, giving IDFG authority to sell permits to help defray the additional costs.

Ed Schriever, Director, IDFG, addressed the Committee to inform that IDFG obtains permits from the U.S. Fish and Wildlife Service, which manages migratory birds. This permit provides that a hunter can take a swan. He stated that IDFG wanted to manage the impact and harvest of trumpeter swans. He clarified points made by Mr. Kline.

MOTION:

Vice Chairman Brackett moved to send **S 1237** to the floor with a **do pass** recommendation. **Senator Bair** seconded the motion. The motion carried by **voice vote**, with **Senators Guthrie** and **Jordan** requesting that they be recorded as voting nay. Vice Chairman Brackett will carry the bill on the floor.

ADJOURNED:

There being no further business at this time, **Chairman Heider** adjourned the meeting at 2:00 p.m.

Senator Heider
Chair

Erin Miller
Secretary