

MINUTES
HOUSE RESOURCES & CONSERVATION COMMITTEE

DATE: Wednesday, January 27, 2021

TIME: 1:30 P.M.

PLACE: Room EW40

MEMBERS: Chairman Gibbs, Vice Chairman Lickley, Representatives Moyle, Wood, Boyle, Vander Woude, Gestrin, Mendive, Kauffman, Blanksma, Addis, Moon, Manwaring, Okuniewicz, Yamamoto, Rubel, Davis (Burns), Mathias

**ABSENT/
EXCUSED:** Representative(s) Mathias

GUESTS: Jennifer Okerlund, Idaho Forest Products Commission; Paul Arrington, Idaho Water Users Association; Gary Spackman, Idaho Department of Water Resources

Chairman Gibbs called the meeting to order at 1:33pm.

MOTION: **Rep. Manwaring** made a motion to approve the minutes of the January 21, 2021 and January 25, 2021 meetings. **Motion carried by voice vote.**

H 9: **Paul Kline**, Deputy Director, Idaho Department of Fish and Game, stated this legislation would define game tags for sage grouse and set game tag prices in **Idaho Code, Sections 36-409 and 36-416**. It would also delete the reference to possession of a sage grouse game permit as an infraction in **Idaho Code, Section 36-1401**. He explained, this legislation facilitates the transition of the hunting framework for sage grouse from a sport permit-based model to a game tag-based model to better support sustainable hunting opportunities. This is accomplished by allowing Fish and Game Managers to use population information to inform game tag availability and appropriately distribute harvest opportunity. He explained the total number of sage grouse harvested annually is expected to remain approximately the same under the new hunt framework and does not affect the sport permit-based hunting framework for sharp-tailed grouse. He concluded by stating the proposed price for resident and nonresident game tags to hunt sage grouse will remain the same as the current price of sport permits to hunt sage grouse.

Benn Brocksome, Executive Director, Idaho Sportsmen spoke **in support** of this legislation stating it provides a means for sage grouse harvest now and into the future.

Chairman Gibbs requested the record reflect no one signed up for remote testimony and nobody else came forward to testify in the audience.

MOTION: **Rep. Wood** made a motion to send **H 9** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. Okuniewicz** will sponsor the bill on the floor.

H 10: **Rep. Lickley**, District 25, stated this legislation will change the law to allow the Fish and Game Commission to address bait allowances for use of game in its Rules and season setting. Additionally, Rep. Lickley stated it will give more flexibility to trappers to use game bait and allows the Commission to work directly with the trapping community to ensure the rules, laws, and regulations trappers follow are consistent across species. She explained Commission Rules cannot override the current restriction in the law so without this exception, trappers cannot use game bait for furbearers. In conclusion, she stated the goal is to mirror language currently in place for wolves and other predators to allow the use of game bait in trapping furbearing animals.

In response to a committee question regarding why this is being addressed in Code first rather than in Rules, **Benn Brocksome**, Executive Director, Idaho Sportsmen, stated they are trying to mirror the language currently in Code for wolves and other predators for furbearers so the Rules would be consistent for all species. He stated it also allows the Commission the ability to negotiate in the future as needed.

In response to the question of what will the Commission propose for Rules, **Benn Brocksome** stated the goal was to get this change in Code early in the Session then introduce the Rules allowing game bait for furbearers. **Chairman Gibbs** remarked hearing Bills before Rules was being done to accommodate the concerns raised last Session regarding bringing Rule changes before Statute changes.

Rep. Moyle declared Rule 80 stating he has a trapper's license.

Chairman Gibbs requested the record reflect no one signed up for remote testimony.

Rusty Kramer, President, Idaho Trapper's Association, stated they are **in support** of this legislation. He explained they have been working on this legislation with the Department for a couple years and have the support from multiple sportsmen's groups, all of the trapping community, and the livestock groups. He concluded this change will clarify things in the field for trappers and make it easier for the Conservation Officers to make determinations in the field.

MOTION: **Rep. Wood** made a motion to send **H 10** to the floor with a **DO PASS** recommendation.

SUBSTITUTE MOTION: After much discussion among the committee members about what the proper order should be regarding hearing Rules and Bills and the purported flaws with the Administrative Rules process, **Rep. Moyle** made a substitute motion to **HOLD H 10** subject to call of the chair but no later than February 5, 2021. He stated he does not want to kill the Bill but rather provide some time for additional discussions. **Motion carried by voice vote.**

RS 28324: **Gary Spackman**, Director, Idaho Department of Water Resources, stated **RS 28324** replaces **RS 28077** that was before the committee and introduced on January 25, 2021. He explained he failed to mention an additional strikeout on page 8, lines 25-29 that he was going to request the committee approve when making the motion to introduce. As a result, he is back before the committee with **RS 28324** which now includes the aforementioned strikeout.

MOTION: **Rep. Moyle** made a motion to introduce **RS 28324**. **Motion carried by voice vote.** **Chairman Gibbs** turned the gavel over to **Vice Chair Lickley**.

DOCKET NO. 15-0300-2000F: **Jennifer Okerlund**, Director, Idaho Forest Products Commission, stated this omnibus pending fee rule docket as written was before the committee and approved during the 2020 Session. She indicated no changes were made from what the committee reviewed last Session.

MOTION: **Rep. Gibbs** made a motion to approve **Docket No. 15-0300-2000F**. **Motion carried by voice vote.**

DOCKET NO. 24-3501-2000: **Dawn Hall**, Section Chief, Department of Occupational and Professional Licenses, stated the changes in this Docket are amendments to Section 57 and are necessary to implement **H 426** from the 2020 Session regarding the designation of deer and elk tags allocated for outfitted hunters by the Idaho Fish and Game Commission. She explained this rule will ensure the designation of allocated tags to individual outfitting businesses is done in a manner that provides predictability and opportunities for growth for outfitters while maximizing the use of those tags by the outfitted public.

MOTION: **Rep. Addis** made a motion to approve **Docket No. 24-3501-2000. Motion carried by voice vote.**

Chairman Lickley put the committee at ease at 2:14pm to wait for the Fish and Game Commissioners to arrive.

Chairman Lickley called the committee to order at 2:24pm and turned the gavel over to **Chairman Gibbs.**

Ed Schriever, Director, Idaho Department of Fish and Game, introduced members of the Fish and Game Commission to the committee. Those members include **Brad Corkill**, Chairman, representing the Panhandle Region; **Greg Cameron**, representing the Magic Valley Region; **Don Ebert**, representing the Clearwater Region; **Tim Murphy**, representing the Southwest Region; **Lane Clezie**, representing the Southeast Region; **Derick Attebury**, representing the Upper Snake Region; and **Ron Davies**, representing the Salmon Region. Commissioners Ebert, Cameron, and Davies were confirmed in the Senate today. After brief remarks from the three newly confirmed Commissioners, the committee members thanked the Commissioners for the work they do.

ADJOURN: There being no further business to come before the committee, the meeting was adjourned at 2:38pm.

Representative Gibbs
Chair

Tracey McDonnell
Secretary