

MINUTES
SENATE RESOURCES & ENVIRONMENT COMMITTEE

DATE: Monday, January 16, 2023

TIME: 1:30 P.M.

PLACE: Room WW55

MEMBERS PRESENT: Chairman Burtenshaw, Vice Chairman Adams, Senators Guthrie, Den Hartog, Harris, Okuniewicz, Schroeder, Semmelroth, and Taylor

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

INTRODUCTIONS: **Chairman Burtenshaw** introduced Senate Page, Justus Willis. **Justus** told the committee about himself and some of his plans for the future.

PASSED THE GAVEL: Chairman Burtenshaw then passed the gavel to Vice Chairman Adams.

DOCKET NO. 13-0102-2201 **Rules Governing Mandatory Education, Mentored Hunting, and Shooting Ranges (ZBR Chapter rewrite, Fee Rule) - proposed Rule.** **Vice Chairman Adams** introduced **Amber Worthington**, Deputy Director, Idaho Department of Fish and Game (IDFG). She referred the Committee to a strikethrough version of **Docket No. 13-0102-2201** with annotations that explain all changes made. (Attachment 1) She added that negotiated rulemaking was held for this docket without comment. **Ms. Worthington** stated the work on this chapter incorporated roles and authority to make rules for shooting ranges, including fee rules. Changes allowed the IDFG director to set a daily use fee for Fish and Game Commission owned or IDFG managed shooting ranges up to \$10, as well as to set fees for goods, services, and equipment rentals. A requirement was added for hunters who wish to obtain a mountain goat tag to pass an ID test showing their understanding the difference between a billy or a nanny. This received strong public support.

MOTION: **Senator Den Hartog** moved to approve **Docket No. 13-0102-2201**. **Senator Schroeder** seconded the motion. The motion carried by **voice vote**.

DOCKET NO. 13-0104-2201 **Rules Governing Licensing - proposed Rule.** **Ms. Worthington** referred the Committee to a strikethrough version of changes to the balance of Dockets discussed in this meeting. (Attachment 2) **Ms. Worthington** explained **Docket No. 13-0104-2201** was specific to outfitter deer and elk tag allocations. Primary changes included a new section to address newly limited nonresident tags. A new provision established a baseline for initial tag use in perpetuity, as determined by a two year verified outfitter use history, and rules to determine remaining tags for additional tag allocation or as non allocated tags, including the number of tags reserved for outfitter hunter use. The department actively engaged in negotiated rulemaking with interested persons, including the Idaho Outfitters and Guides Board, the Idaho Outfitters and Guides Association, Idaho Sportsmen, and Boulder Creek Outfitters.

DISCUSSION: In response to questions from **Chairman Burtenshaw, Vice Chairman Adams, and Senator Schroeder, Ms. Worthington** clarified this revision related only to newly limited cap zones, which are specific to nonresident, newly limited zones, and has no impact on resident tags. She explained IDFG calculated use history using data provided from the outfitters and guides, or by using their internal software system, and verified use history after the year was recorded.

MOTION: **Senator Guthrie** moved to approve **Docket No. 13-0104-2201**. **Chairman Burtenshaw** seconded the motion. The motion carried by **voice vote**.

DOCKET NO. 13-0104-2202 **Rules Governing Licensing - proposed Rule. Ms. Worthington** explained **Docket No. 13-0104-2202** relates to evaluating accommodations around the use of electronic devices for blind or visually impaired hunters. Provisions in the pending rule included reasonable modifications for hunters with blindness and additional definitions of blind or visually impaired. There were no objections to this rule during negotiated rulemaking.

MOTION: **Chairman Burtenshaw** moved to approve **Docket No. 13-0104-2202**. **Senator Guthrie** seconded the motion. The motion carried by **voice vote**.

DOCKET NOS. 13-0110-2201, 13-0114-2201 **Rules Governing Importation, Possession, Release, Sale, or Salvage of Wildlife (ZBR Chapter Rewrite) - Proposed Rule. Vice Chairman Adams** stated **Docket No. 13-0110-2201** will be discussed at the meeting on January 18, 2023.

Rules Governing Falconry (ZBR Chapter Rewrite) - Proposed Rule. Vice Chairman Adams stated **Docket No. 13-0114-2201** will be discussed at the meeting on January 18, 2023.

DOCKET NO. 13-0118-2201 **Rules Governing Feeding of Wild Cervids (ZBR Chapter Rewrite) - proposed Rule. Ms. Worthington** explained IDFG revised this chapter to assist the Idaho State Department of Agriculture (ISDA) and rulemaking was done in cooperation with the ISDA. The ISDA made changes and deletions to their rules, requiring IDFG to cover certain rules where the USDA was no longer overseen. IDFG added a definition section, consolidating both IDFG and ISDA requirements, added a portion of the rule to incorporate prohibited private feeding areas taken from ISDA rules, and incorporated language consistent with ISDA rules related to incidental feeding of wild cervids.

MOTION: **Senator Harris** moved to approve **Docket No. 13-0118-2201**. **Senator Den Hartog** seconded the motion. The motion carried by **voice vote**.

PASSED THE GAVEL: Vice Chairman Adams passed the gavel to Chairman Burtenshaw.

DISCUSSION: In response to a question from **Senator Guthrie, Ms. Worthington** confirmed that the blue writing without strikethrough on the handout (Attachment 2) indicated any language that is brand new to this year.

ADJOURNED: There being no further business as this time, **Chairman Burtenshaw** adjourned the meeting at 1:50 p.m.

Senator Burtenshaw
Chair

Shelly Johnson
Secretary