

MINUTES
SENATE RESOURCES & ENVIRONMENT COMMITTEE

DATE: Wednesday, January 18, 2023

TIME: 1:30 P.M.

PLACE: Room WW55

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

ABSENT/ EXCUSED: Chairman Burtenshaw and Senator Guthrie

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

DOCKET NO. 13-0110-2201 **Rules Governing Importation, Possession, Release, Sale, or Salvage of Wildlife (ZBR Chapter Rewrite) - Proposed Rule. Amber Worthington**, Deputy Director of Programs and Policy, Idaho Department of Fish and Game (IDFG), introduced her associates, Patricia Hebdon, Assistant Chief of Wildlife, IDFG, Jim Fredericks, Deputy Director, IDFG, and Lance Hebdon, Fisheries Chief, IDFG. **Ms. Worthington** referred the Committee to the handout reflecting repealed and revised language for **Docket no. 13-0110-2201** (Attachment 1). She stated there are four notable changes to this Docket. IDFG added a separate section to address rehabilitation facilities. This holds them to the same care standards as captive wildlife. This was missing from the previous rule. Primary changes were to clarify points of confusion and to incorporate by reference United States Department of Agriculture (USDA) requirements for captive wildlife handling, care, treatment, and transportation for warm blooded animals.

DISCUSSION: In response to questions from **Senator Okuniewicz** and **Vice Chairman Adams**, **Ms. Hebdon** explained that IDFG wanted to use the term "captive facility" as a broad umbrella for any facility that may handle animals, to include commercial, rehabilitation, and nonprofit facilities, so they are held to the same standards of care. Senator Okuniewicz addressed several typos in the handout, which **Ms. Worthington** stated would be, or already had been revised. This included Attachment 1, Page 14, 100.04 line 3 extra "if"; Page 15, 120.02 line 3 missing "of", and Page 20, 251.02e duplicate "adult". **Senator Den Hartog** clarified that these types of technical corrections can be made without the Committee including them in the motion, but if the Committee strikes language in whole or in part, then this had to be very clear in their motion.

TESTIMONY: **Jeremy Chou** from the law firm Givens Pursley, testified in support of changes to this Docket. Mr. Chou represented Yellowstone Bear World, which is a private exhibitor in Madison County. He stated Yellowstone Bear World appreciated updated language that allowed commercial wildlife facilities that have been licensed with the USDA under a Class C exhibitor license, such as Yellowstone Bear World, to feed the bears.

MOTION: **Senator Harris** moved to approve **Docket No. 13-0110-2201**. **Senator Schroeder** seconded the motion. The motion carried by **voice vote**.

**DOCKET NO.
13-0114-2201**

Rules Governing Falconry (ZBR Chapter Rewrite) - Proposed Rule. **Ms. Worthington** referred to the handout reflecting repealed and revised language for **Docket no. 13-0114-2201** (Attachment 2). She explained this Docket was modified based on input from the Idaho Falconers Association and negotiated rulemaking with the U.S. Fish and Wildlife Service. Material changes provided a clearer incorporation by reference of the federal falconry regulatory requirement as applicable to falconry in Idaho. IDFG made these changes to obtain U.S. Fish and Wildlife Service approval for delegated falconry regulation.

DISCUSSION:

In response to a question from **Senator Semmelroth**, **Ms. Hebdon** clarified this Docket pertains to hunting with raptors in Idaho and research facilities would fall under a different U.S. Fish and Wildlife Service federal permit.

Senator Okuniewicz asked about the revised definition of raptor. **Ms. Hebdon** responded that this change was initiated by the U.S. Fish and Wildlife Service to be very specific about the birds that were incorporated as raptors. She was unsure if this change would result in more birds being available for the falconry program. In response to further questions from Senator Okuniewicz, **Ms. Worthington** stated IDFG was a dedicated fund agency, so they do not use any taxpayer dollars, but she did not know if the falconry program was self-funded. **Senator Okuniewicz** also noted a typo on the handout, Attachment 2, 161.03b, line 2, "an" should be "can".

MOTION:

Senator Harris moved to approve **Docket No. 13-0114-2201**. **Senator Den Hartog** seconded the motion. The motion carried by **voice vote**.

**DOCKET NO.
26-0130-2201**

Idaho Safe Boating Rules (Chapter Repeal). **Susan Buxton**, Director, Idaho Department of Parks and Recreation, explained **Docket No. 26-0130-2201** repeals this Docket. All rules in this Docket were moved to Idaho Code during the 2022 legislative session.

MOTION:

Senator Schroeder moved to approve **Docket No. 26-0130-2201**. **Senator Den Hartog** seconded the motion. The motion carried by **voice vote**.

ADJOURNED:

There being no further business as this time, **Vice Chairman Adams** adjourned the meeting at 2:01 p.m.

Senator Adams
Vice Chairman

Shelly Johnson
Secretary