

**Idaho Fish and Game Commission
Special Meeting
April 9, 2009
Boise, Idaho**

Present in the Director's Office: Deputy Director Virgil Moore, Dallas Burkhalter, Deputy Attorney General; Kathleen Trevor, Deputy Attorney General; Sharon Kiefer, Assistant Director - Policy; Mary Boyer, Executive Assistant; Bonnie Butler, Governor's Office; Mike Keckler, Communications Chief; Lance Hebdon, Inter Governmental Policy Coordinator; Jim Lau, Administration Chief; and Jon Heggen, Enforcement Chief.

A special meeting of the Idaho Fish and Game Commission was held by telephone conference. The meeting was called to order by Chairman Wayne Wright with Commissioners McDermott, Power and Trevey participating. Commissioners Wheeler, Budge and Barowsky were excused.

LEGISLATION

Sharon Kiefer, Assistant Director-Policy provided an update on legislation (Appendix 42, Exhibit 34).

New Bill Analysis

SB 1177 – Appropriates \$73,368,000 to the Department of Fish and Game for fiscal year 2010; limits the number of full-time equivalent positions to 528; directs the transfer of \$200,000 from the Winter Feeding Fund to the Depredation Control Fund; and directs a salary reduction.

Previously Analyzed Bills

SB 1141 aa,aa – Fish and Game Revenue Enhancement Proposal
Director Groen and Sharon Kiefer testified at the Tuesday House Resources and Conservation Committee on Tuesday. The bill was sent to the House with a do pass recommendation. Representatives Fred Wood and Marv Hagedorn will sponsor the bill in the house.

SB 1175 – as amended, Amends existing law relating to fish and game to provide that the department shall take specified action relating to the relocation of bighorn sheep, to provide that specified domestic sheep and livestock operations shall be held harmless from adverse impacts by the state of Idaho, to provide for the relocation or control of certain bighorn sheep by the Director of the Department of Fish and Game to delete reference to provisions relating to the employment of certain veterinarians by the Department of Agriculture.

Ms. Kiefer noted that the Department still has concerns with SB 1175 as amended and is in the second reading. The section of the original SB 1175 that held the State liable for damages to domestic sheep and livestock producers from past, present, and future bighorn sheep transplant or relocation has been removed from the bill. This amendment removes a significant point of concern.

A new section was added stating the policy of Idaho is to recognize existing sheep or livestock operations in the area of any bighorn sheep transplant and that the potential risk of disease transmission and loss of bighorn sheep when they invade domestic livestock or sheep is accepted. This new policy is of concern because it would conflict with 35-104 and sets a potential precedent for other species management.

The Commission still opposes SB 1175 as amended and will continue to monitor and testify.

HB 138 as amended

HB 138 – Adds to existing law relating to actions for negligence to provide for negligence actions against certain individuals in the event of injury or death to a person caused by a nonnative animal species or subspecies introduced into the state of Idaho by a governmental agency.

Ms. Kiefer noted that HB 138 was sent to the Senate Judiciary & Rules Committee. The Department will continue to track the bill and be prepared to testify.

Previously the Commission position was to oppose HB 138; consensus of the Commission is to continue to oppose the amended HB 138.

HB 194a -- Sport Shooting Activities – Adds to and amends existing law relating to sport shooting activities to provide for a limitation of liability on certain sport shooting activities and to provide exceptions; and to provide an exception to governmental liability relating to certain sport shooting ranges.

HB 194a has passed in both the House and the Senate.

The Department is concerned about the new definition of “Sport shooting official” but feels that they can work with the sponsor of the bill and the NRA to clarify how this would work for the Department and may ask for a legal analysis as well to clarify the definitions.

New Bill Information

HB 287 – Adds to existing law relating to immunities to provide an immunity of employers for allowing certain employee firearm storage.

Status Update for Bills of Concern

See House and Senate Bill tables (Appendix 42, Exhibit 35). Ms. Kiefer noted that the highlighted bills will require Department action once the bills are approved.

Ms. Kiefer stated that the Department budget for FY 2011 will be on the May Commission meeting agenda.

MISCELLANEOUS

Adjournment

The Commission meeting adjourned at 8:31 a.m.

Wayne Wright
Chairman

Cal Groen
Secretary