

MINUTES  
RESOURCES AND ENVIRONMENT COMMITTEE

FEBRUARY 5, 1986

Rm 433, 1:30 pm

PRESENT All members of the committee were present.

Chairman Noh called the meeting to order.

Senator Budge moved and Senator Ringert seconded the minutes of the previous meeting be approved.

Chairman Noh read a letter to the Committee he had received from Bob Meinen, Director, State Parks and Recreation, which stated the Parks Department wanted to go to any length to resolve the Mowry State Park issue with the Bergs and in view of this, they requested to withdraw RS 12055 at this time. (See letter attached)

RS 12497 ESTABLISHING A LIFETIME HUNTING & FISHING LICENSE CERTIFICATE SYSTEM FOR RESIDENTS

Jerry Conley, Director, Fish and Game Department, explained the proposed RS was to establish a lifetime license certificate system. This certificate would allow a person to obtain a license each year at no additional charge after the original certificate is purchased. He pointed out this RS was a replacement of a previously printed RS as there seemed to be some changes various Committee members would prefer in the bill. This new approach is to break down the age groups to three categories: (1) 0-1, (2) 2-50 and (3) 51 and older. Also each year a specific amount will be transferred from the Trust Account to the General Fund which will allow the Department to count the license toward the formula allocating PR and DJ funds to the states. Mr. Conley stated these lifetime licenses could prove to be popular over a period of time.

MOTION: Senator Carlson moved and Senator Ringert seconded the RS be sent for introduction. Motion carried.

RS 12499 ESTABLISH A NONRESIDENT SEVEN DAY FALCONRY HUNTING LICENSE.

Jesse Woody, IFA coordinator, explained the proposed RS would establish a temporary nonresident hunting permit for falconers possessing a falconry permit in another state or province. This permit will allow nonresident falconers to hunt upland game and migratory waterfowl in Idaho for a limited period of time. It will also make it practical to attend organized field meets held annually in Idaho. At present a person would have to pay the \$75

out of state fee. He said several other states have a temporary license and it seems to be working well.

Discussion followed on the merits of the bill. Senators Budge and Little expressed some concerns with the RS, one reason being with the longer season falconers have.

MOTION: Senator Carlson moved and Senator Peavey seconded the RS be sent for introduction. Motion carried.

RS 12491 APPROVING AN APPLICATION TO APPROPRIATE WATER FOR  
MINIMUM STREAM FLOW

Chairman Noh explained this resolution would approve the suggested minimum stream flow of the Pahsimeroi River. There was no discussion of the resolution but it was asked it be returned to the Committee rather than go to the 10th order as is the normal course.

MOTION: Senator Kiebert moved and Senator Carlson seconded the RS be sent for introduction and returned to the Committee. Motion carried.

RS 12550 CLARIFICATIONS OF SWAN FALLS LEGISLATION

Senator Crapo explained the legislation contains revisions of the Swan Falls legislation passed last year. IDWR proposed regulations implementing the Swan Falls legislation raised a number of issues concerning the interpretation of the legislation. He went through the RS and discussed the points that were negotiated by the interested parties. All parties seemed to be pretty much in agreement on the issues in question except for lines 25, 26 and 27 on Page 3.

There was little discussion of the RS with the feeling being it should be printed and circulated for comment.

MOTION: Senator Crapo moved and Senator Horsch seconded the RS be sent for introduction. Motion carried.

RS 12515 ROAD CLOSURES: COOPERATIVE AGREEMENT

Joe Hinson, representing the timber industry, explained the legislation would allow the F&G to enter into cooperative agreements with landowners to restrict the operations of motor-propelled vehicles on the land and makes violation of these restrictions a misdemeanor. Mr. Hinson reminded the Committee that last year they asked that F&G and the forest industry get together and work out their problems and during this past year, F&G and the timber industry had met several times, and this bill was the result of some of those meetings. He explained this RS would not restrict the landowner, but merely allow F&G to enforce it. The closed or open decision rests with the private landowner.

Short discussion followed.

MOTION: Senator Kiebert moved and Senator Sverdsten seconded the RS be sent for introduction. Motion carried.

SB 1312 PROVIDE THAT THE STATE TAX COMMISSION MAY RELEASE LIMITED INFORMATION CONCERNING THE RESIDENCY OF TAX-PAYERS TO THE F&G DEPARTMENT

Frank NeSmith, F&G, explained the bill would allow the Tax Commission to furnish the F&G information on residency claims. At present F&G furnishes license information to the Tax Commission but due to secrecy provisions, the Tax Commission cannot reciprocate by furnishing such information to the F&G Department. The exchange of this information would benefit the state by helping to ensure that only bona fide residents purchase resident hunting and fishing licenses and by assisting in the discovery of persons who are not paying state income tax. Mr. NeSmith felt this legislation would be a useful tool for them to help catch offenders and reduce the loss of manhours that is spent on this problem at the present time. He also felt there is a significant loss of revenue to the state as there are around 200 cases a year. In reply to what the cost might be to implement this bill, he replied the system is already in place, so felt it would be small.

Mr. Dillon, attorney for F&G, said the bill was drawn up so the information requested was restricted to the residency question and no other information is wanted.

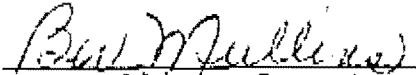
Senator Budge expressed concerns with the basic principle of the bill and also asked how the determination is made of who is a resident. Mr. NeSmith replied that they follow the statutory requirements for a resident.

More discussion followed on determination of residents and people who live here part-time and the concept of the bill in general.

MOTION: Senator Budge moved and Senator Little seconded the bill be held in committee. The motion carried.

There being no time left to consider further items on the agenda, the meeting adjourned.

  
Laird Noh, Chairman

  
Bev Mullins, Secretary



# IDAHO DEPARTMENT of PARKS & RECREATION

John V. Evans, Governor

Robert L. Meinen, Director

## MEMORANDUM

DATE: 2/05/86

TO: Senator Laird Noh, Chairman  
Resource Conservation Committee

FROM: Bob Meinen, Director, State Parks and Recreation

SUBJECT: R.S. 12055 - Mowry State Park

After the statement made by Mrs. Ralph Berg, owner of property considered in R.S. 12055, there appears to be some options for negotiation of settlement. Several members of the Committee asked if there were any options short of condemnation. The answer is yes, if the Bergs are serious about their commitment to not sell for development or develop the area themselves.

Their intent, as represented to the Committee, is to maintain a recreational site on Coeur d'Alene lake for their family. There are two options I have developed and would like an opportunity to present to them. These options involve trades and conservation easements. This will take more time to attempt negotiation than the February 9 deadline.

The Department wants to go to any length to resolve this issue without condemnation. In view of this, the Parks and Recreation Board would request we withdraw R.S. 12055 at this time.