

**ALASKA STATE LEGISLATURE  
HOUSE RESOURCES STANDING COMMITTEE**

March 19, 2001

1:05 p.m.

**MEMBERS PRESENT**

Representative Drew Scalzi, Co-Chair  
Representative Hugh Fate, Vice Chair  
Representative Joe Green  
Representative Mike Chenault  
Representative Lesil McGuire  
Representative Gary Stevens  
Representative Mary Kapsner  
Representative Beth Kerttula

**MEMBERS ABSENT**

Representative Beverly Masek, Co-Chair

**COMMITTEE CALENDAR**

HOUSE BILL NO. 63

"An Act relating to electronic application for and issuance of licenses, permits, and tags issued by the Department of Fish and Game; relating to violations regarding a license, permit, or tag applied for or issued electronically; and providing for an effective date."

- MOVED CSHB 63(RES) OUT OF COMMITTEE

CS FOR SENATE BILL NO. 72(FIN)

"An Act relating to 'take-a-child-hunting' seasons for big game."

- FAILED TO MOVE HCS CSSB 72(RES) OUT OF COMMITTEE

HOUSE BILL NO. 137

"An Act relating to records of veterans of the armed forces; and providing for an effective date."

- MOVED HB 137 OUT OF COMMITTEE

**PREVIOUS ACTION**

BILL: HB 63

SHORT TITLE:ELECTRONIC FISH & GAME LICENSURE  
SPONSOR(S): RLS BY REQUEST OF THE GOVERNOR

Jrn-Date	Jrn-Page		Action
01/16/01	0096	(H)	READ THE FIRST TIME - REFERRALS
01/16/01	0096	(H)	FSH, RES, FIN
01/16/01	0096	(H)	FN 1: ZERO(DFG)
01/16/01	0096	(H)	GOVERNOR'S TRANSMITTAL LETTER
02/12/01		(H)	FSH AT 5:00 PM CAPITOL 124
02/12/01		(H)	Moved Out of Committee
02/12/01		(H)	MINUTE(FSH)
02/14/01	0314	(H)	FSH RPT 3DP 1NR
02/14/01	0314	(H)	DP: COGHILL, SCALZI, WILSON; NR: DYSON
02/14/01	0314	(H)	FN1: ZERO(DFG)
02/14/01	0314	(H)	REFERRED TO RESOURCES
02/21/01		(H)	RES AT 1:00 PM CAPITOL 124
02/21/01		(H)	Heard & Held MINUTE(RES)
03/19/01		(H)	RES AT 1:00 PM CAPITOL 124

BILL: SB 72

SHORT TITLE:TAKE A CHILD HUNTING SEASON  
SPONSOR(S): SENATOR(S) KELLY

Jrn-Date	Jrn-Page		Action
02/06/01	0288	(S)	READ THE FIRST TIME - REFERRALS
02/06/01	0288	(S)	RES, FIN
02/07/01	0301	(S)	COSPONSOR(S): WILKEN, THERRIAULT
02/12/01		(S)	RES AT 3:30 PM BUTROVICH 205
02/12/01		(S)	Moved CS(RES) Out of Committee
02/12/01		(S)	MINUTE(RES)
02/13/01	0354	(S)	RES RPT CS 3DP 3NR SAME TITLE
02/13/01	0354	(S)	DP: TORGERSON, TAYLOR, KELLY;
02/13/01	0354	(S)	NR: PEARCE, LINCOLN, ELTON
02/13/01	0354	(S)	FN1: ZERO(DFG)
02/23/01		(S)	FIN AT 9:00 AM SENATE FINANCE 532
02/23/01		(S)	-- Meeting Postponed to 2/26/01--
02/26/01		(S)	FIN AT 9:00 AM SENATE FINANCE 532
02/26/01		(S)	Moved CSSB 72(FIN) Out of

			Committee
			MINUTE(FIN)
02/26/01	0500	(S)	FIN RPT CS 7DP 2NR SAME TITLE
02/26/01	0500	(S)	DP: DONLEY, KELLY, GREEN, AUSTERMAN,
02/26/01	0500	(S)	WILKEN, WARD, LEMAN; NR: HOFFMAN, OLSON
02/26/01	0500	(S)	FN1: ZERO(DFG)
02/28/01		(S)	RLS AT 10:30 AM FAHRENKAMP 203
02/28/01	0535	(S)	RULES TO CALENDAR 2OR 2/28/01
02/28/01	0539	(S)	READ THE SECOND TIME
02/28/01	0539	(S)	FIN CS ADOPTED UNAN CONSENT
02/28/01	0539	(S)	ADVANCED TO THIRD READING UNAN CONSENT
02/28/01	0539	(S)	READ THE THIRD TIME CSSB 72(FIN)
02/28/01	0539	(S)	PASSED Y16 N2 A1 E1
02/28/01	0539	(S)	LINCOLN NOTICE OF RECONSIDERATION
02/28/01		(S)	MINUTE(RLS)
03/01/01	0560	(S)	RECON TAKEN UP - IN THIRD READING
03/01/01	0560	(S)	RETURN TO SECOND FOR AM 1 UNAN CONSENT
03/01/01	0561	(S)	AM NO 1 FAILED Y5 N10 E4 A1
03/01/01	0561	(S)	AUTOMATICALLY IN THIRD READING
03/01/01	0561	(S)	PASSED ON RECONSIDERATION Y14 N1 E4 A1
03/01/01	0562	(S)	TRANSMITTED TO (H)
03/01/01	0562	(S)	VERSION: CSSB 72(FIN)
03/07/01		(H)	RES AT 2:00 PM CAPITOL 124
03/07/01		(H)	<Bill Rescheduled to 3/12/01>
03/09/01	0508	(H)	READ THE FIRST TIME - REFERRALS
03/09/01	0508	(H)	RES
03/12/01		(H)	RES AT 1:00 PM CAPITOL 124
03/12/01		(H)	Heard & Held
03/12/01		(H)	MINUTE(RES)
03/19/01		(H)	RES AT 1:00 PM CAPITOL 124

BILL: HB 137

SHORT TITLE: RECORDS OF VETERANS

SPONSOR(S): SP CMTE ON MILITARY & VETERANS' AFFAIRS

Jrn-Date	Jrn-Page	Action
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02/23/01	0410	(H)	READ THE FIRST TIME - REFERRALS
02/23/01	0410	(H)	MLV, RES
02/27/01		(H)	MLV AT 3:30 PM CAPITOL 120
02/27/01		(H)	Moved Out of Committee
02/27/01		(H)	MINUTE(MLV)
03/07/01	0497	(H)	MLV RPT 6DP
03/07/01	0498	(H)	DP: HAYES, GREEN, KOTT, MASEK,
03/07/01	0498	(H)	CISSNA, CHENAULT
03/07/01	0498	(H)	FN1: ZERO(DNR)
03/19/01		(H)	RES AT 1:00 PM CAPITOL 124

**WITNESS REGISTER**

KEVIN BROOKS, Director  
 Division of Administrative Services  
 Alaska Department of Fish & Game  
 PO Box 25526  
 Juneau, Alaska 99811-5526  
 POSITION STATEMENT: Explained HB 63, Version C.

KRISTOPHER KNAUSS, Staff  
 to Senator Pete Kelly  
 Alaska State Legislature  
 Capitol Building, Room 518  
 Juneau, Alaska 99801  
 POSITION STATEMENT: Spoke on behalf of the sponsor of SB 72.

GORDY WILLIAMS, Legislative Liaison  
 Office of the Commissioner  
 Alaska Department of Fish & Game  
 PO Box 25526  
 Juneau, Alaska 99802-5526  
 POSITION STATEMENT: Spoke in support of SB 72 and answered  
 questions.

CAROL CARROLL, Director  
 Division of Support Services  
 Department of Natural Resources (DNR);  
 Director  
 Administrative Services Division  
 Department of Military & Veterans' Affairs (DMVA)  
 400 Willoughby Avenue  
 Fifth floor  
 Juneau, Alaska 99801-1724  
 POSITION STATEMENT: Spoke in support of HB 137.

SHARON YOUNG, State Recorder  
Division of Support Services  
Department of Natural Resources  
550 West Seventh Avenue, Suite 1210  
Anchorage, Alaska 99501-3564  
POSITION STATEMENT: Spoke in support of HB 137.

**ACTION NARRATIVE**

[Due to technical difficulties, the first couple of minutes of the meeting were not recorded. The following was reconstructed from the log notes.]

CO-CHAIR DREW SCALZI called the House Resources Standing Committee meeting to order at 1:05 p.m. Representatives Fate, McGuire, Green, Stevens, and Scalzi were present at the call to order. Representatives Chenault, Kapsner, and Kerttula arrived as the meeting was in progress.

HB 63 - ELECTRONIC FISH & GAME LICENSURE

[Taping difficulties continued, and the following was reconstructed from the log notes.]

CO-CHAIR SCALZI announced that the first order of business would be HOUSE BILL NO. 63, "An Act relating to electronic application for and issuance of licenses, permits, and tags issued by the Department of Fish and Game; relating to violations regarding a license, permit, or tag applied for or issued electronically; and providing for an effective date."

KEVIN BROOKS, Director, Division of Administrative Services, Alaska Department of Fish & Game (ADF&G) came before the committee to discuss the proposed committee substitute (CS), Version C.

[The tape recording begins at this point.]

TAPE 01-21, SIDE A  
Number 0001

MR. BROOKS mentioned working with Representative Masek's office [on the new language of Version C], which he said was an improvement. Mr. Brooks explained:

The concern was that we have a situation with our vendors that they're either going to get a commission under the provisions set forth in statute now, or else they would get a ... per-transaction fee, but not be able to get both. And I think the new language is very clear in that manner.

Number 0098

REPRESENTATIVE FATE made a motion to adopt the proposed CS [Version C, 22-GH1070\C, Utermohle, 3/7/01] as a work draft. There being no objection, Version C was before the committee.

Number 0123

REPRESENTATIVE STEVENS mentioned a friend in Kodiak who sells licenses; the friend had said he would not be selling the high-end licenses such as for bear hunts, but only the fishing licenses. Representative Stevens asked Mr. Brooks if he thought [the language in Version C] would be a disincentive to vendors to stay in the business.

MR. BROOKS replied that out of an estimated 600,000 pieces of stock sold, 8,000 pieces were sold [electronically]. Therefore, he did not foresee a significant loss of vendor business because of electronic licensing; instead, electronic licensing would be a complement to it. In regard to speculating whether the higher-end sales would be predominately by vendor or by electronic means, Mr. Brooks said it would be a matter of customer preference. He stated that there are 1,500 vendors statewide, and 20 percent of those are responsible for 80 percent of the sales.

REPRESENTATIVE STEVENS asked Mr. Brooks to describe the incentives to the vendors.

MR. BROOKS answered that the current vendor compensation provisions are 5 percent of the receipts, plus \$1 per item sold. He said there were approximately "\$1.2 million in retained commissions to 5 percent." He recalled that there was approximately \$700,000 in additional vendor compensation of \$1 per item. Mr. Brooks said ADF&G paid out nearly \$2 million in vendor commissions. He added that the vendors were making money by outfitting the people buying the licenses in their stores, not from the sale of the licenses themselves.

Number 0435

REPRESENTATIVE FATE asked Mr. Brooks if Version C would put some of the vendors in a "no man's land," trying to do it, but not making the 5 percent, so that it just becomes a service, and a nuisance, at that.

MR. BROOKS responded that it was that type of analysis that brought ADF&G to [electronic licensing], because there are many "marginal" vendors who don't sell much. He pointed out that many of those vendors are in remote areas, so ADF&G figured that if the information is put out on the Internet, more people would have access to a license.

Number 0539

REPRESENTATIVE STEVENS asked Mr. Brooks how much 5 percent of a high-end license would equal.

MR. BROOKS offered an example of a person from Europe buying a license for \$1,000, 5 percent of which would equal \$50.

REPRESENTATIVE FATE moved to report CSHB 63 [version 22-GH1070\C, Utermohle, 3/7/01] out of committee with individual recommendations [and the accompanying zero fiscal note]. There being no objection, CSHB 63(RES) was moved out of the House Resources Standing Committee.

SB 72-TAKE A CHILD HUNTING SEASON

Number 0675

CO-CHAIR SCALZI announced the next order of business would be CS FOR SENATE BILL NO. 72(FIN), "An Act relating to 'take-a-child-hunting' seasons for big game."

KRISTOPHER KNAUSS, Staff to Senator Pete Kelly, Alaska State Legislature, came forth on behalf of Senator Kelly, sponsor of the bill. He stated that since the last time the House Resources Standing Committee met, a proposed House committee substitute (CS) [Version B, 22-LS0084\B, Utermohle, 3/15/01] had been drafted that hopefully answers questions that were asked. He said a legal opinion has also been drafted dealing with the constitutionality of the bill, regarding whether it is special legislation.

Number 0745

CO-CHAIR SCALZI referred to a letter written in support of this bill by Allison Magby, an eighth-grader at Golden View Middle School in Anchorage.

Number 0825

REPRESENTATIVE KERTTULA asked if this bill applies to bowhead whales and whether there was any analysis done on this.

MR. KNAUSS replied that it would not apply.

REPRESENTATIVE KERTTULA asked if this has been verified from the Alaska Department of Fish & Game (ADF&G).

MR. KNAUSS said no, they haven't received an official statement from [ADF&G].

REPRESENTATIVE KERTTULA asked if this bill creates a preference for sport hunters over subsistence users.

MR. KNAUSS deferred this question to [ADF&G].

Number 0920

REPRESENTATIVE FATE referred to a question from the last meeting; he asked if there would be any conflict between bow hunters and [other] hunters, since bow hunting is usually an earlier season.

MR. KNAUSS said his understanding, based on discussions with the [ADF&G] and Board [of Game], is that there would be no conflict.

Number 0985

REPRESENTATIVE GREEN indicated he wanted further clarification on how there will not be conflict between bow hunters and other hunters.

MR. KNAUSS asked if he was talking about "with the regular season".

REPRESENTATIVE GREEN said, "Or with the early season." He mentioned that [this bill] would have kids between 8-17 "out there" with a gun.

MR. KNAUSS stated that the Board of Game would establish the actual season so that there would be no conflict. But he was not sure how the Board of Game would do this.

[The meeting stopped for a few minutes due to technical difficulties.]

Number 1131

REPRESENTATIVE FATE noted that [Version B] clarifies a question the committee had regarding the legality of the child's or adult's "taking the game and doing the actual pulling of that trigger." He said this new language is found in lines 10-11. [That language read: "The adult, parent, stepparent or legal guardian who accompanies the child may only assist the child in taking big game."]

MR. KNAUSS commented that the bill's intent is not to address the method or area that [the season] pertains to, but is to address a season.

CO-CHAIR SCALZI reiterated that the bill is leaving it up to the Board [of Game] to determine the season, and that this bill is allowing the board to make an additional seasonal change to incorporate "take-a-child-hunting".

REPRESENTATIVE GREEN stated that he went hunting with his father when he was young. However, the idea of a special season to do this never came up. He said, "I had to go out there and compete with the big guys just like everyone else, and I coveted the opportunity to hunt with my dad." He asked, however, whether this bill makes special dispensations for this group [children between 8-17 years]. If so, he asked if it is possible that another dispensation will be made for another group. He stated that having a [special season], especially in the front half of the season, creates a further impediment to the normal hunting operation. This makes the animals aware that "there are guns out there and things happen." Consequently, he said, he has some real concerns about the bill.

Number 1342

REPRESENTATIVE McGUIRE commented that a lingering concern is that much discretion is being given to the Board of Game without any sideboards. [The bill] is trusting that issues such as sustained yield, subsistence, and bowhead whales will all be addressed [by the Board of Game], without [the legislature's]

certainty that this will happen. She said she wouldn't object to this bill's moving out of committee, but would like to see, at a minimum, a letter of intent adopted by the House Resources Standing Committee that lays out some of these concerns and specific things that the committee wants addressed.

REPRESENTATIVE McGUIRE further stated that the legislature is supposed to draft laws and delegate authority to the agencies. She asked, "If we're not clear about what it is we're delegating and we're not clear of what our purpose is or [what our] limitations are, then how can we complain when regulations come out the way we didn't think they would?"

REPRESENTATIVE KERTTULA remarked that she was still unclear on what impact, if any, this [bill] would have on favoring sport [hunting] over subsistence.

Number 1463

GORDY WILLIAMS, Legislative Liaison, Office of the Commissioner, Alaska Department of Fish & Game, stated that he does not see a conflict in the bill, since it is left up to the Board of Game. He referred to earlier testimony, when he said this bill wouldn't apply in areas with Tier II hunts, since the bill says [in appropriate areas", line 5, Version B]. He suggested that if this bill passes, public discussion would take place regarding where these seasons would be appropriate. The board feels that if areas already have restrictions, it would not want to place extra pressure on them by adding a season or additional time.

Number 1540

REPRESENTATIVE KAPSNER commented that the Board of Game may already be [in the process of allowing "take-a-child-hunting" seasons], so she was unsure of "where the groundswell of support" came from or what the sponsor's motivation for the bill was.

MR. KNAUSS explained that [Senator Kelly's] intent was to establish these seasons before the beginning of school. He said a resolution that established these seasons passed about three to four years ago. The board acted on it for a year, but then stopped. This bill would put it in statute.

REPRESENTATIVE KERTTULA asked if the current situation is that requests to have special seasons have been made, and in response, the Board [of Game] has sometimes allowed them.

MR. KNAUSS said he did not know.

REPRESENTATIVE KERTTULA remarked that this is really important. She expressed concern that the Board [of Game] is being pushed with something that it has already been trying to make decisions on. She indicated this bill is a statement that the board would read as, "You're gonna do it, and you're gonna do it a little more," rather than leaving discretion to the board.

MR. KNAUSS indicated "fish and wildlife conservation" and Senator Kelly, for the most part, agreed on the language of the bill. The only thing they differed on was "whether or not who pulls the trigger." But, he said, he thought [ADF&G] was in favor of this as well.

REPRESENTATIVE KAPSNER stated that there is a big difference between the administration and the Board of Game; they are totally separate entities. She would like to know how the Board of Game feels about this bill, she said, and asked if Mr. Knauss had any letters from the board.

MR. KNAUSS said no.

Number 1703

MR. WILLIAMS referred to Representative Fate's comments on clarifying the language. He mentioned changes from the original bill [SB 72] to [Version B] regarding a change from the word "hunt" to "take". He then referred to questions regarding an animal that is wounded and the adult's role in such a situation; he asked how this part of the bill would "play into this." He indicated he did know what would happen.

REPRESENTATIVE GREEN remarked that this concept is great. By establishing a special season, however, he wondered "what kind of insurance we have that 'Billy Joe Bob' doesn't take his seven-year-old out with him a week ahead of schedule just to make sure he gets his own." He said there would be no proof of this. He went on to suggest that if a child were to need a large-caliber gun to shoot a really big animal, the child's father may realize the child needs assistance and, therefore, would help out.

MR. KNAUSS indicated that adding "adult ... may only assist child in taking big game" [lines 10-11] was one of the reasons that the age of a child was changed to eight years.

REPRESENTATIVE GREEN remarked that this is not defined. He said it is opening a Pandora's box. He asked why an early, open, special season is required.

MR. KNAUSS replied that the sponsor's intent was to have an extended season, before the regular season, so that children would not miss school. He mentioned that schools in the Interior are starting earlier, which goes into moose-hunting season.

REPRESENTATIVE FATE made a motion to move SB 72 [unspecified version] out of committee with individual recommendations.

CO-CHAIR SCALZI asked if the proposed House CS [Version B, 22-LS0084\B, Utermohle, 3/15/01] had been adopted.

REPRESENTATIVE FATE stated his belief that it had been adopted.

Number 1978

REPRESENTATIVE KERTTULA voiced her objection to moving the bill out of committee. She said her family hunts and she has no objection to taking children out hunting. However, she still has too many questions about definitions in the bill. For example, she does not know what "assist" means. She said she appreciated the legal opinions and had read them carefully.

REPRESENTATIVE KERTTULA went on to say that the bill is "well-done" but that there is "fudging language in it in terms of assumptions," which concerns her on the "legal side of things." She also indicated the legislature shouldn't interfere with the Board of Game's decision-making, especially when [the legislature] doesn't know if these requests have been made to the board. At this time, she concluded, she couldn't support this bill.

Number 2034

REPRESENTATIVE FATE stated that this bill allows for the companionship of a father and child, and educates children on hunting as well as the value of understanding firearms and what they can do, which is one of the arguments in committee today. For these reasons, and for this bill's being enacted in areas

where there are conflicts with school, he said he intended to vote for this bill.

Number 2075

CO-CHAIR SCALZI recounted concerns such as special dispensation that came up at the meeting. He noted that issues relating to the Board of Game included giving it too much discretion, questions as to whether or not it had participated in ["take-a-child-hunting" seasons], and receiving no recommendations from the board. Another concern is whether the adult would take over if an animal had been shot and wounded. He mentioned the issue of "supplementing the actual education," such as an eight-year-old shooting a "30-06." He pointed out that there are opportunities for hunting smaller game with a smaller-caliber rifle. But if someone brings a seven-, eight-, or nine-year-old to hunt moose, "you're obviously going to be shooting a pretty large-sized caliber." He also mentioned Representative Kerttula's comments regarding the lack of clarity of definitions in the bill.

CO-CHAIR SCALZI referred to Representative Fate's comments that the sponsor's intent for education regarding hunting is good. He remarked that his personal recommendations are similar to Representative Green's. He thinks that currently there is ample opportunity to take one's children hunting in-season by taking the child out of school or going before school. He mentioned that there is also other game available.

Number 2250

A roll call vote was taken. Representatives Fate, Chenault, and Stevens voted in favor of moving the bill out of committee. Representatives Kapsner, Kerttula, and Scalzi voted against it. Representative Green abstained from voting. [Representatives McGuire and Masek were absent for the vote.] Therefore, HCS CSSB 72(RES) failed to move from the House Resources Standing Committee by a vote of 3-3.

HB 137 - RECORDS OF VETERANS

Number 2295

CO-CHAIR SCALZI announced that the next order of business would be HOUSE BILL NO. 137, "An Act relating to records of veterans of the armed forces; and providing for an effective date."

[Although there was a motion to adopt HB 137, the original bill, it was already before the committee.]

Number 2319

REPRESENTATIVE CHENAULT, speaking as the chair of the House Special Committee on Military and Veterans' Affairs, sponsor of HB 137, explained that the intent of HB 137 is to make the government more efficient. Presently, veterans' separation papers are recorded in three different state departments: the Department of Natural Resources; the Bureau of Vital Statistics; and the Department of Military and Veterans' Affairs. He said, "A recording of these records is voluntary by veterans, and upon leaving they are encouraged to have their separation papers recorded." Representative Chenault stated that the requirement to keep these records in separate agencies wastes government money and is unnecessary. This legislation would eliminate the requirement of the Bureau of Vital Statistics to maintain those records.

CAROL CARROLL, Director, Division of Support Services, Department of Natural Resources (DNR); Director, Administrative Services Division, Department of Military & Veterans' Affairs (DMVA), testified in support of HB 137. By statute, she explained, the DNR's State Recorder's Office and the Bureau of Vital Statistics must keep records of veterans' separation papers. The DMVA keeps those records in the armory in Fairbanks, as a courtesy. Ms. Carroll explained that the bill would establish the Recorder's Office as the official place for these records to be stored.

Number 2450

SHARON YOUNG, State Recorder, Division of Support Services, Department of Natural Resources, testified via teleconference in support of HB 137. She added that although keeping these records at the Recorder's Office doesn't amount to much time around the state, the bill would certainly help ease some of the confusion for veterans who need access to their records, by allowing them to go to one place to get the information.

Number 2500

REPRESENTATIVE FATE made a motion to move HB 137 out of committee with individual recommendations and the attached zero fiscal note. There being no objection, HB 137 was moved from the House Resources Standing Committee.

**ADJOURNMENT**

There being no further business before the committee, the House Resources Standing Committee meeting was adjourned at 1:36 p.m.