

**ALASKA STATE LEGISLATURE
HOUSE COMMUNITY AND REGIONAL AFFAIRS
STANDING COMMITTEE**

May 13, 2003
8:10 a.m.

MEMBERS PRESENT

Representative Carl Morgan, Chair
Representative Kelly Wolf, Vice Chair
Representative Pete Kott
Representative Ralph Samuels
Representative Sharon Cissna

MEMBERS ABSENT

Representative Tom Anderson
Representative Albert Kookesh

COMMITTEE CALENDAR

HOUSE BILL NO. 288

"An Act changing the name of the Department of Community and Economic Development."

- MOVED CSHB 288(STA) OUT OF COMMITTEE

CS FOR SENATE BILL NO. 155(RES)

"An Act relating to predator control programs; and providing for an effective date."

- HEARD AND HELD

PREVIOUS ACTION

BILL: HB 288

SHORT TITLE: CHANGING NAME OF DEPT OF COMM & ECON DEV.

SPONSOR(S): REPRESENTATIVE(S) KOHRING

Jrn-Date	Jrn-Page		Action
04/28/03	1156	(H)	READ THE FIRST TIME - REFERRALS
04/28/03	1156	(H)	STA, L&C
05/06/03		(H)	STA AT 8:00 AM CAPITOL 102
05/06/03		(H)	Moved CSHB 288(STA) Out of Committee -- Recessed to 5:30 PM --

			MINUTE(STA)
05/08/03	1475	(H)	STA RPT CS(STA) NT 3DP 1DNP 3NR
05/08/03	1475	(H)	DP: DAHLSTROM, LYNN, HOLM;
05/08/03	1475	(H)	DNP: BERKOWITZ; NR: SEATON, GRUENBERG,
05/08/03	1475	(H)	WEYHRAUCH
05/08/03	1475	(H)	FN1: ZERO(CED)
05/08/03	1478	(H)	CRA REFERRAL ADDED AFTER L&C
05/09/03		(H)	L&C AT 3:15 PM CAPITOL 17
05/09/03		(H)	Moved CSHB 288(STA) Out of Committee
			MINUTE(L&C)
05/10/03	1534	(H)	L&C RPT CS(STA) NT 3DP 1NR 2AM
05/10/03	1534	(H)	DP: GATTO, DAHLSTROM, LYNN;
05/10/03	1534	(H)	NR: ROKEBERG; AM: CRAWFORD, GUTTENBERG
05/10/03	1535	(H)	FN1: ZERO(CED)
05/13/03	1591	(H)	CRA RPT CS(STA) NT 2DP 3NR
05/13/03	1591	(H)	DP: WOLF, KOTT; NR: SAMUELS, CISSNA,
05/13/03	1591	(H)	MORGAN
05/13/03	1591	(H)	FN1: ZERO(CED)
05/13/03		(H)	CRA AT 8:00 AM CAPITOL 124

BILL: SB 155

SHORT TITLE: PREDATOR CONTROL/AIRBORNE SHOOTING

SPONSOR(S): SENATOR(S) SEEKINS

Jrn-Date	Jrn-Page		Action
03/20/03	0551	(S)	READ THE FIRST TIME - REFERRALS
03/20/03	0551	(S)	JUD, RES
03/31/03		(S)	JUD AT 1:30 PM BELTZ 211
03/31/03		(S)	Heard & Held
03/31/03		(S)	MINUTE(JUD)
04/04/03		(S)	JUD AT 1:30 PM BELTZ 211
04/04/03		(S)	Heard & Held
04/04/03		(S)	MINUTE(JUD)
04/16/03		(S)	JUD AT 1:00 PM BELTZ 211
04/16/03		(S)	Moved CSSB 155(JUD) Out of Committee -- Permanent Time Change --
04/16/03		(S)	MINUTE(JUD)
04/17/03	0892	(S)	JUD RPT CS 2DP 2DNP 1NR NEW TITLE

04/17/03	0892	(S)	DP: SEEKINS, THERRIAULT;
04/17/03	0892	(S)	DNP: FRENCH, ELLIS; NR: OGAN
04/17/03	0892	(S)	FN1: ZERO(DFG)
04/30/03		(S)	RES AT 3:30 PM BUTROVICH 205
04/30/03		(S)	Moved CSSB 155(RES) Out of Committee
04/30/03		(S)	MINUTE(RES)
05/01/03	1073	(S)	RES RPT CS 5DP 1DNP NEW TITLE
05/01/03	1074	(S)	DP: WAGONER, DYSON, LINCOLN, STEVENS B,
05/01/03	1074	(S)	SEEKINS; DNP: ELTON
05/01/03	1074	(S)	FN1: ZERO(DFG)
05/02/03	1105	(S)	RULES TO CALENDAR 5/2/2003
05/02/03	1105	(S)	READ THE SECOND TIME
05/02/03	1105	(S)	RES CS ADOPTED UNAN CONSENT
05/02/03	1106	(S)	ADVANCED TO THIRD READING 5/3 CALENDAR
05/02/03	1106	(S)	COSPONSOR(S): LINCOLN, OGAN, COWDERY,
05/02/03	1106	(S)	GREEN, DYSON, WAGONER, STEVENS B,
05/02/03	1106	(S)	THERRIAULT
05/03/03	1133	(S)	READ THE THIRD TIME CSSB 155(RES)
05/03/03	1133	(S)	COSPONSOR(S): HOFFMAN, WILKEN, TAYLOR
05/03/03	1133	(S)	PASSED Y14 N1 E5
05/03/03	1133	(S)	EFFECTIVE DATE(S) SAME AS PASSAGE
05/03/03	1133	(S)	ELTON NOTICE OF RECONSIDERATION
05/04/03	1147	(S)	RECONSIDERATION NOT TAKEN UP
05/04/03	1148	(S)	TRANSMITTED TO (H)
05/04/03	1148	(S)	VERSION: CSSB 155(RES)
05/05/03	1306	(H)	READ THE FIRST TIME - REFERRALS
05/05/03	1306	(H)	RES, CRA
05/08/03	1481	(H)	CROSS SPONSOR(S): MORGAN
05/09/03		(H)	RES AT 8:00 AM CAPITOL 124
05/09/03		(H)	Moved Out of Committee -- Recessed to 1:00 pm -- MINUTE(RES)
05/10/03	1537	(H)	RES RPT 6DP 3AM
05/10/03	1537	(H)	DP: MASEK, GATTO, MORGAN, WOLF, LYNN,
05/10/03	1537	(H)	FATE; AM: GUTTENBERG, CISSNA, HEINZE

05/10/03	1538	(H)	FN1: ZERO(DFG)
05/13/03	1619	(H)	CROSS SPONSOR(S): WOLF
05/13/03		(H)	CRA AT 8:00 AM CAPITOL 124

WITNESS REGISTER

REPRESENTATIVE VIC KOHRING
Alaska State Legislature
Juneau, Alaska

POSITION STATEMENT: Spoke as the sponsor of HB 288.

EDGAR BLATCHFORD, Commissioner
Department of Community & Economic Development
Juneau, Alaska

POSITION STATEMENT: Testified on HB 288.

SENATOR RALPH SEEKINS
Alaska State Legislature
Juneau, Alaska

POSITION STATEMENT: Spoke as the sponsor of SB 155.

GREG ROCZICKA
Bethel, Alaska

POSITION STATEMENT: Testified as a former member of the BOG.

JOEL BENNETT
Defenders of Wildlife
Juneau, Alaska

POSITION STATEMENT: Testified that [CSSB 155(RES)] is a large scale overturn of the public votes.

MATT ROBUS, Acting Director, Division of Wildlife Conservation,
Alaska Department of Fish & Game
Anchorage, Alaska

POSITION STATEMENT: Testified in opposition to CSSB 155(RES).

RON SOMERVILLE, Appointee
to the Board of Game
Juneau, Alaska

POSITION STATEMENT: During hearing on SB 155, testified that BOG has no intention of initiating a large aerial hunting program by the public.

CLIFF JUDKINS, Appointee
to the Board of Game
Wasilla, Alaska

POSITION STATEMENT: Testified in support of moving the [CSSB 155(RES)] forward.

PAUL JOSTLIN, Wildlife Biologist
Alaska Wildlife Alliance
Anchorage, Alaska

POSITION STATEMENT: Expressed his hope that the committee wouldn't pass CSSB 155(RES) from committee.

ACTION NARRATIVE

TAPE 03-18, SIDE A

Number 0001

CHAIR CARL MORGAN called the House Community and Regional Affairs Standing Committee meeting to order at 8:10 a.m. Representatives Morgan, Wolf, Samuels, and Cissna were present at the call to order. Representative Kott arrived as the meeting was in progress.

HB 288-CHANGING NAME OF DEPT OF COMM & ECON DEV.

CHAIR MORGAN announced that the first order of business would be HOUSE BILL NO. 288, "An Act changing the name of the Department of Community and Economic Development." [Before the committee is CSHB 288(STA).]

CHAIR MORGAN announced his intent to move HB 288 from committee today.

Number 0116

REPRESENTATIVE VIC KOHRING, Alaska State Legislature, spoke as the sponsor of HB 288. Representative Kohring explained that CSHB 288(STA) simply changes the name of the Department of Community & Economic Development (DCED) to the Department of Commerce & Economic Development. He said that there seems to be some confusion with regard to the mission of DCED, and therefore the name change would clarify that the department's focus is to promote commerce and emphasize economic development in the state. Representative Kohring reminded committee members that Governor Murkowski's address in the fall discussed economic development and indicated his desire to make this name change. Representative Kohring emphasized that the name change wouldn't erode the integrity of the department, but would simply make it's role clear and eliminate confusion. Furthermore, the name change would promote the fact that Alaska is open for business.

REPRESENTATIVE KOHRING acknowledged that previous committees have had concern with regard to the impact this name change would have on rural programs. He indicated that this concern stems from the 1999 merger of the Department of Commerce & Economic Development with the Department of Community & Regional Affairs to form the present Department of Community & Economic Development. At that time there was concern with regard to whether the integrity of the Department of Community & Regional Affairs would be maintained once the merger occurred. Four years later, the answer is yes and the [community and regional] programs have remained in tact. As a result of the 1999 merger, the Division of Community Advocacy was created. Therefore, Representative Kohring said he didn't believe this name change would impact rural programs. In fact, the emphasis on commerce is good for rural and urban Alaska.

Number 0505

REPRESENTATIVE WOLF asked if the Department of Commerce & Economic Development was the original name.

REPRESENTATIVE KOHRING replied yes.

Number 0556

EDGAR BLATCHFORD, Commissioner, Department of Community & Economic Development, echoed the reasoning of Representative Kohring. Over the years, there has been considerable confusion with regard to the mission of the department. Commissioner Blatchford opined that there is further confusion because some people still refer to the department as the Department of Commerce. The desire is to send a clear message that Alaska is open for business. He related his belief that communities recognize the importance of economic development. Furthermore, the [name change] wouldn't dilute the mission of the department. He informed the committee that the Division of Community and Business Development was reorganized and the name changed to the Division of Community Advocacy in order to reflect the constitutional intent for the department to be an advocate for municipalities. Commissioner Blatchford said that there needs to be a common calling card for all who want to do business with Alaska.

Number 0794

REPRESENTATIVE CISSNA recalled the department's name change to the Department of Community & Economic Development and the concern that the department had been a rural department in which people were comfortable. Representative Cissna agreed that changing "Community" to "Commerce" would look better and although such a change would make it a little less confusing for some, it could be confusing for others. She asked if the aforementioned has been addressed.

COMMISSIONER BLATCHFORD said that "we" recognized that the name change was coming. In order to strengthen the commitment to rural Alaska the Division of Community and Business Development's name was changed to the Division of Community Advocacy. This division housed most of the activities of the former Department of Community & Regional Affairs. He noted that no cost was attached to the division name change.

CHAIR MORGAN, upon determining no one else wished to testify, closed public testimony.

Number 1122

REPRESENTATIVE WOLF moved to report CSHB 288(STA) out of committee with individual recommendations and the accompanying zero fiscal note. There being no objection, CSHB 288(STA) was reported from the House Community and Regional Affairs Standing Committee.

The committee took an at-ease from 8:26 a.m. to 8:28 a.m.

SB 155-PREDATOR CONTROL/AIRBORNE SHOOTING

[Not on tape, but reconstructed from the committee secretary's log notes, was the following two minutes worth of testimony.]

CHAIR MORGAN announced that the next order of business would be CS FOR SENATE BILL NO. 155(RES), "An Act relating to predator control programs; and providing for an effective date."

Number 1208

SENATOR RALPH SEEKINS, Alaska State Legislature, spoke as the sponsor of SB 155. He explained that SB 155 provides tools for the management of game populations. Under AS 16.05.783, the Board of Game (BOG) can authorize a predator control program from the air if the commissioner of the Alaska Department of

Fish & Game (ADF&G) has a written report regarding the need for prey populations to be under intensive management.

[Recording resumes.]

SENATOR SEEKINS related that an intensive management area means that the area is identified as important for human consumption. [Once an intensive management area is identified] the commissioner would have to return to BOG and certify the information that his paid and degreed scientists have already presented to the BOG, the same information that led the board to reach the conclusion that there is a problem with predation that a reduction in predators would solve. This legislation specifies that it's BOG's responsibility to listen to the scientists from ADF&G and have the commissioner, through his scientific experts, say that there is a problem that necessitates review of the prey population objective, the harvest objective, the predator objective, and the predator population objective. Therefore, the greatest number of scientific facts could be brought into play. "There's a collapse in the prey population ... part of that is a function of predation and that a reduction in predation would help solve problem. What we're doing is we're frontloading in [SB] 155, the input from the department - the paid professional scientists of the department - that this is a problem and that this is a way to solve it." This legislation specifies that BOG makes this decision and has the prerogative to determine the methods and means such as how many [predators] should be taken, who can participate, and under what conditions these individuals can participate. The board already has this ability in other parts of the statute. This legislation specifically combines them [under this statute] to specify that the board has this authority with predator control programs. The legislation does eliminate the commissioner's ability to pocket veto the board's decision.

SENATOR SEEKINS turned to McGrath and Unit 13, an intensive management area, as an example. Unit 13 has been a productive area in the past and has had as many as 27,000 moose in the reproductive base; however, that is down to 8,000. The commissioner chose never to write the letter authorizing the [predator control] program and thus pocket vetoed the program. Therefore, [this legislation] specifies that the decision is left to the BOG, based on the best science available. The input from the department comes upfront. Currently, BOG's findings have to [be drawn] from input from ADF&G that predation is a problem and the reduction in predation is an answer. This

legislation creates the proper order to make a decision so that the board can proceed a-politically with a predator reduction program based on science rather than politics. All options to carry out a predator reduction program are available -- whatever is the most humane, efficient, and effective manner in which to reduce the predators. Senator Seekins said, "What it [SB 155] does is says that protein on the family table in Alaska is important. Important enough that sometimes we have to carry out unpleasant things in terms of predator control."

SENATOR SEEKINS said that [the proposal in SB 155] is how every other ADF&G statutes is carried out. In fact, in 1995 the Alaska Supreme Court, on a matter involving fish, specified that the ADF&G commissioner doesn't have the authority to effectively veto a decision of the Board of Fish. This legislation simply allows the BOG to have the same prerogative. Only with regard to predator control has the department had veto ability. Senator Seekins mentioned that Governor Murkowski is his friend and he supports him; however, Senator Seekins said that he can't trust that the next governor will have the same discretion as Governor Murkowski. Therefore, Senator Seekins related his desire to have these decisions made on the best, current, and most sound science and SB 155 provides that pathway.

Number 1775

REPRESENTATIVE CISSNA pointed out that the title specified on the fiscal note, which refers to same day airborne hunting, is different from that specified on CSSB 155(RES).

SENATE SEEKINS explained that the title had been changed because he wanted to be clear that the legislation wasn't about same day airborne hunting but rather about predator control. Senator Seekins emphasized that as a general rule he doesn't advocate same day airborne hunting or airborne shooting. The fiscal note can be changed to reflect the correct title. The legislation is meant to address predator [control] programs not hunting, he stressed.

REPRESENTATIVE CISSNA directed attention to Section 1(a) which inserts language referring to airborne shooting and same day airborne shooting as part of a management plan.

SENATOR SEEKINS highlighted that the language refers to shooting not hunting.

REPRESENTATIVE CISSNA related that her constituency was strongly in opposition to same day airborne.

SENATOR SEEKINS remarked that he appreciated that those in Anchorage don't want to narrow the urban-rural split. However, this is an urban-rural issue that can't be avoided. He said, "If the folks in your area of Anchorage feel strongly about not being able to put moose and caribou on the table of the people in the rural regions, that's their prerogative; I don't feel that way." In fact, when one reviews Unit 13 [one sees] that it could be one of the most productive areas for moose hunting in the state, if the predators were properly controlled. Furthermore, if folks in Anchorage and Fairbanks are given the opportunity to harvest reasonably close to home, those folks aren't going to venture to remote areas of Alaska. Therefore, he characterized SB 155 as an opportunity to narrow the urban-rural gap. He expressed his desire for those in urban areas to be able to hunt reasonably close to home so that they don't intrude in the rural areas of the state. "And quite frankly, I believe that if the people in your district were to find that out and understand that and not listen to the media campaigns by outside, highly influential anti-hunting groups and understood that this was the most effective, efficient, and humane way to be able to solve that problem, I think that they probably would vote for that," he said. Senator Seekins stated that he was willing to use effective predator control in order to be able to put protein on the table of those in rural Alaska.

Number 2019

REPRESENTATIVE WOLF noted his appreciation for Senator Seekins introducing this legislation. Representative Wolf agreed that a lot of outside [interests] influence Alaska's resource management policies. He said that his biggest concern is turning this into an emotional issue from which large, well-funded organizations would make millions. Representative Wolf related his wholehearted support of this and his belief that the ADF&G commissioner shouldn't have veto authority over BOG.

Number 2114

SENATOR SEEKINS informed the committee that for about one week a year he is a hunter. Senator Seekins also informed the committee that he is a pilot and he likes to fly low enough to view wildlife. Senator Seekins related his philosophy as follows:

I think that God created us as man, his most marvelous creation, and when he did that he gave us a stewardship responsibility. That stewardship says we must have wise use of our resources ... and stewardship, to me, implies management. We have to prioritize some of the things that we do. And one of the highest priorities for me, in terms of management, is not to eradicate but to bring within a balance.

SENATOR SEEKINS told the committee that his research has shown that less than 2 percent of the harvestable surplus of moose, caribou, and Dahl sheep production in Alaska goes to humans. In areas such as Unit 13, the harvestable surplus is much less than 2 percent because of the fall of moose calf survival rates which he indicated is due to predation. A moose calf in Unit 13 has about an 80 percent chance of being killed by a predator before it's four-weeks-old. Senator Seekins drew attention to charts in the committee packet referring to the moose calf survival rates, the bear population, and the moose population trend. This data is from ADF&G and it points to predation as the problem, he said. If one-third of the high productivity of the moose population was allocated to humans, the number of moose harvested in the state would almost quadruple. He said that it's a matter of allocation and without intervention the moose population will collapse and in that case he questioned where the stewardship and management responsibility would be.

Number 2353

REPRESENTATIVE CISSNA informed the committee that she attended the [House] Resources Standing Committee meeting on this legislation. She said she has heard two sides of this issue. Many of the biologists aren't certain why [some of the populations are decreasing]. She recalled that one of the issues was with the target population and the need to realize that these are wild populations where there are swings in population. Representative Cissna related her hope that Senator Seekins realized that there is more than one side to this issue and that just because some people look at this issue differently, those people aren't necessarily wrong.

SENATOR SEEKINS said he understood that and is sympathetic to those biologists who lean more toward predator preservation than production. However, sometimes it's necessary to have some [hunting] areas close to home that can be [harvested] and thus that means sometimes "we" have to be managers. With regard to the argument that a balance will come, Senator Seekins predicted

that the balance would result in nothing. Senator Seekins remarked that in the last administration the creation of study groups and stakeholder groups delayed the issue indefinitely. He pointed to the population charts in the committee packet and specified that the result was poor. Although Senator Seekins acknowledged that there are seasonal aspects to populations, he emphasized that predators continue [to be present]. "What we've done is manage humans not predators," he said. He suggested that having [hunting] areas close to home can solve some of the regional pressures throughout the state.

Number 2583

GREG ROCZICKA began by informing the committee that he served on the BOG under the prior administration. He also informed the committee that the committee packet should include a copy of his comments on this issue. Mr. Roczicka recalled concern that the intensive game management objectives were set too high. However, he assured those concerned that those objectives were carefully considered by the board. He explained that the board at the time wasn't pursuing the historical high [population] levels rather the habitat capability and the criteria for a long-term sustained yield was taken into consideration. For instance, in Unit 13 the historical high was 28,000 moose, but the board's range was 18,000-22,000. Therefore, anyone who says those population objectives are unrealistic hasn't done their homework. With regard to those who criticize good science, those people almost always have an emotional or monetary connection to the issue. He requested that the committee review this issue in an objective manner.

MR. ROCZICKA turned to the comments that the people of Alaska have spoken on this matter during the 1996 and 2000 ballot initiatives and referendums. He recalled that in 2000 the vote was 52.5 percent, which he didn't view as a wide margin. Furthermore, in 1996 the initiative language was couched in the negative which he indicated lead to confused voters. Mr. Roczicka announced that he is strongly in favor of this legislation because the state needs it. He noted that he was saddened with the lack of administrative will to allow effective and humane methods to be used. Mr. Roczicka asked the committee members to use this opportunity to educate their constituents. He mentioned that the Alaska Tourism Marketing Group should be behind this legislation and educate the public who he believes isn't receiving the entire picture.

Number 2971

JOEL BENNETT, Defenders of Wildlife, informed the committee that he, too, is a former member of the BOG. With regard to Senator Seekins' earlier statement that the two ballot propositions were largely the effort of outdoor groups, Mr. Bennett said that isn't accurate. The ballot propositions were sponsored by an in-state organization called Alaskans for Wildlife, which was composed of former members of BOG, former officials of ADF&G, and others.

TAPE 03-18, SIDE B

MR. BENNETT went on to say that the ballot propositions clearly illustrate that Alaskans support predator control. Predator control was clearly authorized in the 1996 ballot proposition. However, the public doesn't support predator control programs that aren't strictly monitored or enforced or programs that involve the general public, which he believes to be true today as well. This legislation, CSSB 155(RES), authorizes the involvement of the public, which he believes to be a serious defect. He related his belief that public involvement is bad public policy and won't be supported by the general public in Alaska because the general public isn't as accountable to the program as department employees would be. Furthermore, the general public is inefficient and efficiency has been highlighted as important to this concept. Moreover, land and shoot and airborne methods are inhumane because of the significant amounts of wounding and inability to retrieve animals that are wounded. Those animals that can't be retrieved hurt the department's research capabilities.

MR. BENNETT related that the other major problem Defenders of Wildlife have with this legislation is the removal of the commissioner from a key role in the decision-making process. Most people understand that predator control programs are highly controversial and volatile in Alaska. Mr. Bennett said that the commissioner is and should be properly involved in the final implementation decision of a predator control program that impacts the welfare of so many Alaskans. The commissioner should also be involved because [of the commissioner's knowledge with regard] to how a predator control program would impact other programs, personnel matters, and fiscal matters.

MR. BENNETT concluded by relating that the Defenders of Wildlife believes that this legislation is a large scale overturn of the public votes. Furthermore, the Defenders of Wildlife believes

that the public won't support this. This legislation goes too far and is too loose, he said.

Number 2783

MATT ROBUS, Acting Director, Division of Wildlife Conservation, Alaska Department of Fish & Game, informed the committee that SB 155 and HB 208 were originally intended to make technical changes to allow the McGrath predator program that was recommended by the BOG at the March 2003 meeting to proceed. Originally, the bills would have made a small change to the existing statute that would've broadened the reasons that the commissioner could've used to make his/her findings to approve a program by the board. However, as SB 155 has moved through the committee process, it has experienced a number of changes. The department worked with Senator Seekins on a number of language changes, which the department appreciated. However, the current version, CSSB 155(RES), that removes the statutory role of the commissioner from the process of finalizing a BOG created predator control program isn't supported by the administration. The department has provided the committee with language that the department would like to see incorporated in Section 1 of the legislation.

MR. ROBUS explained that Section 1 of CSSB 155(RES) makes changes to the process used to implement a predator control program using airborne or same day airborne methods. Currently, statute specifies a three-criteria process that the commissioner must go through in order to determine that aerial methods are appropriate to implement a board-sponsored predator control program. The original SB 155 and HB 208 retained the aforementioned process. The current statutory language originated in legislation sponsored by Senator Pete Kelly in 1999. The current version, CSSB 155(RES), transfers the finding process from the commissioner to the board and retains two of the three criteria that the commissioner currently has to use in a finding. Mr. Robus explained that when the board puts forward a predator control program involving aerial methods under CSSB 155(RES), after the board hears technical information from the department it would have to find that an ungulate population that has been identified under the intensive management law is either declining or is depressed below the established population objective. Secondly, the board would have to determine that a reduction in predator populations would probably reverse that problem and allow the ungulate herd to improve. However, CSSB 155(RES) would not require that the finding include the finding that aerial methods are necessary in

order to accomplish a reduction in predation, which is required under current statute.

MR. ROBUS specified that the main debate probably lays with the commissioner being able to receive BOG's request for a finding and sit on it indefinitely, the pocket veto. He agreed that under current statute there is no limit to the amount of time the commissioner can sit on a request by the board. Mr. Robus said that the department believes the amendment it has suggested would address concerns with regard to the pocket veto while at the same time retain the role of the commissioner in working with the BOG in moving forward with well-justified, sustainable predator control programs involving airborne methods where deemed necessary. In conclusion, Mr. Robus highlighted that the administration isn't opposed to predator control programs. The focus of the comments and the department's position are regarding the change to the current statutory process. He explained that the department believes the amendment would retain the commissioner's role in deciding to proceed with predator control programs while eliminating the ability of the commissioner to not do anything forever. The amendment basically provides the commissioner seven days within which to justify a negative finding otherwise the program would proceed.

CHAIR MORGAN pointed out that the department's fiscal note referred to the incorrect title and thus he requested a fiscal note referring to the correct title.

MR. ROBUS agreed to do so.

Number 2392

RON SOMERVILLE, Appointee to the Board of Game, indicated that he was testifying on behalf of the BOG. Mr. Somerville highlighted that the board had requested a minor change that would allow the board to use other than just prey populations as the total objective in which the standard would be set to initiate a predator control program. For example, if the board can't consider harvest objectives, there could be a very nonproductive population consisting of largely males or young animals which wouldn't meet the harvest objective, although it would meet the prey population objective. He pointed out that BOG has no intention of initiating a large aerial hunting program by the public. He informed the committee that 60 percent of Alaska is federal land and initiating a predator control program on federal land is unimaginable. Additionally, Mr. Somerville estimated that on 20-30 percent of state lands it

isn't possible to initiate a predator control program without using poisons. Therefore, less than 3 percent of the total state would be where the board, due to statute, could consider implementing an intensive management program that might include a predator control program. The board and previous board have recognized that predator control doesn't just involve shooting wolves. The board recognizes that bears can be the largest predator in a particular area, he related. Although there are scientific differences of opinion with regard to the best course, three separate boards have declared McGrath a biological emergency and by all indications a social emergency as well. Mr. Somerville pointed out that the National Academy of Science has done an extensive review of the predator control program issue and concluded that there are instances in which a variety of predators can keep a prey population at extremely low levels for an extended period of time. Therefore, the aforementioned can exacerbate the occurrence of [natural] population fluctuations. Mr. Somerville related his belief that the board is being proactive with management and saying that it needs some of the previously mentioned tools to perform the job it's assigned by the legislature. In conclusion, Mr. Somerville highlighted that everyone on the board believes the wolf to be an important resource in Alaska.

Number 2147

CLIFF JUDKINS, Appointee to the Board of Game, informed the committee that he is a 40-year resident of the state who is usually a consumptive of wildlife. He also informed the committee that for more than 15 years he has served on local fish and game advisory committees. He mentioned that he has a degree in wildlife biology. Mr. Judkins said that SB 155 is a move in the correct direction. The legislation requires that predator control factions of wildlife management be based on science rather than on emotions and political pressures applied by anti-hunter groups. Echoing earlier sentiment, he said he knew of no one on the BOG who wanted to kill all predators. However, the board wants to be able to reduce the number of predators in areas where moose, in particular, have been reduced to such low levels that the moose can't reproduce fast enough to feed the predators and grow the herd. Where there are healthy predator populations, there can be healthy prey populations. However, a bad winter or two that decreases the moose population may leave the predator population high, which would mean that the moose can't recover. He concluded by saying that he hoped the committee moved the legislation forward.

Number 1932

PAUL JOSTLIN, Wildlife Biologist, Alaska Wildlife Alliance, highlighted that predator control is a highly controversial issue. He informed the committee that the National Academy of Science has put forward three principles that are important when dealing with highly controversial programs. First, one must ensure that the science being used is sound and is carried out in-depth before advancing [a program]. Second, the [program] must be cost-effective. Third, broad public support should be gained.

MR. JOSTLIN said that SB 155 would bring back same day airborne hunting of wolves. However, twice Alaskans have voted on this matter and clearly stated that they don't like same day airborne hunting of wolves as a [predator control] method. He recalled that Senator Seekins has said that the legislation isn't really about same day airborne hunting of wolves because it's carried out by ADF&G. Mr. Jostlin explained that the general public would be permitted, which amounts to the public being involved [in same day airborne shooting.] If the killing of wolves in Alaska is reviewed as a whole, one would see that the killing of wolves in Alaska has steadily increased. The suggestions that [same day airborne shooting] is necessary seems to fly in the face of the truth that more wolves than ever have been killed. He attributed the huge increase in the killing of wolves to efficiencies that have occurred. Furthermore, Alaska has experienced a 50 percent increase in population. There has also been the introduction of more snow machines.

Number 1633

MR. JOSTLIN turned to the McGrath area and posed a situation in which the initial sense of science, the perception that there is a substantial decline in the moose population, was used to support predator control in the form of same day airborne hunting of wolves. However, ADF&G has only carried out two in-depth counts of moose in the McGrath area in 1996 and 2001. The department found that the moose population hadn't declined but rather may have slightly increased. Although there should be another moose count, at present there is an increase in the birth rate and weight of the moose calves. He noted that although there have been mild winters [in recent years], there was a 100,000 acre fire a year ago. The fire has surely brought in more "brows" (ph) and gets to the root cause of what manipulates prey populations. Still, the wolf is blamed. "It's simply running high on attitude and not enough on science," he

charged. Therefore, he asked the committee to recognize that true, sound science is necessary before pushing ahead with these programs. He related his belief that predator control shouldn't be done when the science shows flat to increasing prey populations [as is the case in McGrath].

Number 1485

MR. JOSTLIN turned to the issue dealing with the commissioner. He emphasized the importance of ensuring that decisions aren't just driven by the BOG. Mr. Jostlin opined that the current BOG is one of the most extreme BOG because every member has a history of having been a trapper at some point, which may represent a very narrow viewpoint. However, the commissioner has to answer to the governor who has to answer to Alaskans. Mr. Jostlin concluded with the following example. In 1976 the BOG had decided that the Western Arctic Caribou herd was crashing due to the wolf. There were about 75,000 caribou in that herd in 1976. It turned out that in this situation the problem was over-harvesting. The wolf control program was brought to a halt by court action and the caribou population has increased to close to 500,000 in spite of the existence of the wolves. Mr. Jostlin reiterated that often the wolf is said to be the answer when its not and in fact, many scientists have gone before the BOG and the McGrath Adaptive Committee and said the wolf isn't the answer. He expressed his hope that the committee wouldn't pass CSSB 155(RES) from committee.

[SB 155 was held over.]

ADJOURNMENT

There being no further business before the committee, the House Community and Regional Affairs Standing Committee meeting was recessed to Thursday, May 15, 2003, at 8:00 a.m.