

**ALASKA STATE LEGISLATURE
HOUSE RESOURCES STANDING COMMITTEE**

April 19, 2004

1:57 p.m.

MEMBERS PRESENT

Representative Nancy Dahlstrom, Co-Chair
Representative Beverly Masek, Co-Chair
Representative Cheryll Heinze, Vice Chair
Representative Carl Gatto
Representative Nick Stepovich
Representative Kelly Wolf
Representative Beth Kerttula
Representative David Guttenberg

MEMBERS ABSENT

Representative Bob Lynn

COMMITTEE CALENDAR

HOUSE BILL NO. 531

"An Act relating to natural gas exploration and development and to nonconventional gas, and amending the section under which shallow natural gas leases may be issued; and providing for an effective date."

- MOVED CSHB 531(RES) OUT OF COMMITTEE AGAIN

CS FOR SENATE BILL NO. 329(RES)

"An Act relating to control of nuisance moose."

- HEARD AND HELD

HOUSE BILL NO. 364

"An Act establishing a moratorium on the issuance of state shallow natural gas leases in the vicinity of Kachemak Bay, and directing the commissioner of natural resources to reacquire shallow natural gas leases on the Kenai Peninsula within the moratorium area; and providing for an effective date."

- SCHEDULED BUT NOT HEARD

PREVIOUS COMMITTEE ACTION

BILL: HB 531

SHORT TITLE: CONVENTIONAL & NONCONVENTIONAL GAS LEASES
SPONSOR(S): RESOURCES

03/04/04 (H) READ THE FIRST TIME - REFERRALS
03/04/04 (H) O&G, RES, FIN
03/16/04 (H) O&G AT 3:15 PM CAPITOL 124
03/16/04 (H) Heard & Held
03/16/04 (H) MINUTE(O&G)
03/18/04 (H) O&G AT 3:15 PM CAPITOL 124
03/18/04 (H) Heard & Held
03/18/04 (H) MINUTE(O&G)
03/22/04 (H) RES AT 1:00 PM CAPITOL 124
03/22/04 (H) <Pending Referral>
04/01/04 (H) O&G AT 3:15 PM CAPITOL 124
04/01/04 (H) Moved CSHB 531(O&G) Out of Committee
04/01/04 (H) MINUTE(O&G)
04/05/04 (H) O&G RPT CS(O&G) 7AM
04/05/04 (H) AM: HOLM, KERTTULA, MCGUIRE, ROKEBERG,
04/05/04 (H) CRAWFORD, HEINZE, KOHRING
04/14/04 (H) RES AT 1:00 PM CAPITOL 124
04/14/04 (H) Heard & Held <Assigned to Subcmte>
04/14/04 (H) MINUTE(RES)
04/16/04 (H) RES AT 1:00 PM CAPITOL 124
04/16/04 (H) Moved CSHB 531(RES) Out of Committee
04/16/04 (H) MINUTE(RES)
04/19/04 (H) RES AT 1:00 PM CAPITOL 124

BILL: SB 329

SHORT TITLE: NUISANCE MOOSE
SPONSOR(S): SENATOR(S) BUNDE BY REQUEST

02/13/04 (S) READ THE FIRST TIME - REFERRALS
02/13/04 (S) RES, FIN
03/24/04 (S) RES AT 3:30 PM BUTROVICH 205
03/24/04 (S) Moved CSSB 329(RES) Out of Committee
03/24/04 (S) MINUTE(RES)
03/26/04 (S) RES RPT CS 5DP SAME TITLE
03/26/04 (S) DP: OGAN, DYSON, WAGONER, STEVENS B,
03/26/04 (S) SEEKINS
04/01/04 (S) FIN REFERRAL WAIVED
04/08/04 (S) TRANSMITTED TO (H)
04/08/04 (S) VERSION: CSSB 329(RES)
04/13/04 (H) READ THE FIRST TIME - REFERRALS
04/13/04 (H) RES
04/19/04 (H) RES AT 1:00 PM CAPITOL 124

WITNESS REGISTER

MARIE CROSLY, Natural Resource Specialist
Division of Oil & Gas
Department of Natural Resources (DNR)
Anchorage, Alaska

POSITION STATEMENT: During discussion of HB 531, answered questions.

SENATOR CON BUNDE
Alaska State Legislature
Juneau, Alaska

POSITION STATEMENT: Testified as the sponsor by request of the Alaska Moose Federation.

MATT ROBUS, Director
Division of Wildlife Conservation
Alaska Department of Fish & Game (ADF&G)
Juneau, Alaska

POSITION STATEMENT: During discussion of SB 329, answered questions.

ACTION NARRATIVE

TAPE 04-22, SIDE A

Number 0001

CO-CHAIR BEVERLY MASEK called the House Resources Standing Committee meeting to order at 1:57 p.m. Representatives Masek, Dahlstrom, Gatto, Heinze, Stepovich, Wolf, Guttenberg, and Kerttula were present at the call to order.

HB 531-CONVENTIONAL & NONCONVENTIONAL GAS LEASES

CO-CHAIR MASEK announced that the first order of business would be HOUSE BILL NO. 531, "An Act relating to natural gas exploration and development and to nonconventional gas, and amending the section under which shallow natural gas leases may be issued; and providing for an effective date."

Number 0085

CO-CHAIR DAHLSTROM moved that the committee rescind its action in reporting CSHB 531, Version 23-LS1818\V, Chenoweth, 4/15/04, from committee on April 16, 2004. There being no objection, Version V was before the committee.

[Although the motion originally referred to Version U, the committee, before taking any action on Amendment 1, corrected the motion to refer to Version V.]

CO-CHAIR MASEK noted that Representative Kerttula wanted to offer amendments.

REPRESENTATIVE KERTTULA offered [Amendment 1], which read [original punctuation provided]:

Page 39, Line 31 - Page 40, Line 11;

Delete all material and insert:

"(3) for a nonconventional gas lease, rights under the reservation as set out in AS 38.05.125 may not be exercised under the lease unless

(A) the owner and the state and its lessees, successors, or assigns reach a prior written agreement under which the state and its lessees, successors, or assigns may enter upon the land in the exercise of the reserved right; only one written agreement authorizing entry onto the land may be required under this subparagraph to authorize activity by the state and its lessees, successors, or assigns, or by their agents, attorneys, and servants as allowed under this subsection; an agreement entered into under this subparagraph is

(i) for the duration of the period of production or recovery operations unless the parties agree to a different duration; and

(ii) a covenant running with the land;

(B) the director, after notice and an opportunity to be heard, determines that, to exercise rights under the reservation and the lease, the lessee has no other reasonable means of entry than access and entry upon the land of the owner; the lessee has the burden of demonstrating compliance with this subparagraph; and

(C) the state, its lessees, successors, or assigns make provisions to pay the owner of the land full payment for all damages sustained by the owner by reason of entering upon the land for the purpose of exercising rights under the lease, by posting a surety bond determined by the

owner and by the state, its lessees, successors, or assigns to be sufficient as to form, amount and security to secure to the owner payment for all damages, subject to the following:

(i) if a provision of this subparagraph conflicts with a requirement of AS 38.05.130, the provision of this subparagraph prevails; and

(ii) in addition to the coverage for actual damages required by AS 38.05.130 or this subparagraph, as appropriate, the parties shall make provision for payment of reasonable compensation to the owner for any loss by the owner of the owner's use and enjoyment of the property."

REPRESENTATIVE KERTTULA explained that since the legislation has been changed to refer to nonconventional gas rather than shallow natural gas, the owner and the state need to reach a prior written agreement so that people can enter upon the land. She acknowledged that it's undecided with regard to whether such prior written agreement can be required. She further acknowledged concern regarding how stringently to require it in order that it remains constitutional. "But my reading on this is that I would rather that the landowners have this power and that if there is going to be a lawsuit, that they're the ones that start out holding the right," she opined. Therefore, this amendment is to place the authority in the hands of the landowners.

REPRESENTATIVE STEPOVICH asked if the agreement would be in lieu of payment as well.

REPRESENTATIVE KERTTULA answered that such would have to be a separate agreement. [Amendment 1] merely requires written agreement before anyone can enter the land.

REPRESENTATIVE STEPOVICH inquired as to whether Amendment 1 is constitutional.

Number 0365

MARIE CROSLY, Natural Resource Specialist, Division of Oil & Gas, Department of Natural Resources (DNR), deferred to the Department of Law.

CO-CHAIR MASEK noted that there was not a representative from the Department of Law.

REPRESENTATIVE KERTTULA acknowledged that there will be a constitutional issue because of the reserved rights, but she felt that it's more appropriate to place the property owners in the top position.

REPRESENTATIVE KERTTULA related that Amendment 1 was offered in the subcommittee, but it was the desire of the chair [of the subcommittee] to hold it and place it before the full committee.

REPRESENTATIVE HEINZE asked if there is any way to determine whether Amendment 1 would be constitutional or not.

CO-CHAIR MASEK recalled the testimony of Jack Chenoweth, Attorney, Legislative Legal and Research Services, and Mark Myers, Director, Division of Oil & Gas, at a prior hearing when they said it would be unconstitutional.

REPRESENTATIVE KERTTULA interjected that Mr. Chenoweth was concerned, but didn't know how the courts will rule on [Amendment 1] because there is no case law on the matter.

REPRESENTATIVE KERTTULA opined that adoption of Amendment 1 would be a strong statement that the committee believes the property owners should be in the driver's seat. She noted that she has a possible conflict of interest on any coal bed methane matter because her family owns property that may be in the leasing area.

Number 0916

REPRESENTATIVE STEPOVICH commented that he liked the idea encompassed in Amendment 1, but was concerned with regard to wasting time and money if it's unconstitutional. He said he would like to here from other committee members on the matter of passing legislation that may be frivolous.

REPRESENTATIVE GATTO inquired as to what would happen if the amendment was determined to be unconstitutional.

REPRESENTATIVE KERTTULA said that the state could choose not to enforce it or it could be severed from the rest of the legislation. Representative Kerttula said she understands the

concern, but without any case law directly on the matter it would be more appropriate to adopt Amendment 1.

REPRESENTATIVE WOLF opined that there are probably people in the Legislative Legal and Research Division and the Attorney General's Office who could answer whether Amendment 1 is constitutional. Therefore, he requested that Amendment 1 be withdrawn until the answer can be obtained.

REPRESENTATIVE KERTTULA declined to withdraw the amendment.

Number 1133

REPRESENTATIVE HEINZE remarked that the entire coal bed methane issue seems to boil down to the people [property owners], their land, and their rights. "I know we're in murky waters right now, but if there's a clarity out there somewhere and it ... puts the people in the driver's seat, ... that's what this is all about ...," she opined.

CO-CHAIR DAHLSTROM commented that those committee members not present last Friday are at a disadvantage because they didn't hear Mr. Chenoweth's statements. Although Mr. Chenoweth didn't specifically say that Amendment 1 would be unconstitutional, he gave the strong impression that there would be many problems. Co-Chair Dahlstrom related her understanding that Mr. Chenoweth was suggesting that the committee "not act in that manner."

REPRESENTATIVE GUTTENBERG reminded the committee that voters, citizens, and landowners of the state have voiced strong objection to [their] lack of involvement in the process. Barring any clear legal opinion, property owners deserve to have a say in who enters their property and barring that, to also have their day in court. Therefore, he felt that this might be a good place to make the bright line decision.

REPRESENTATIVE STEPOVICH related that the surface owners, the property owners, and the subsurface owners, the state, will be competing to sell the resources.

CO-CHAIR MASEK interjected that Amendment 1 would also be problematic with the Statehood Act.

CO-CHAIR DAHLSTROM turned to a memorandum Mr. Chenoweth sent to the Senate Resources Standing Committee, from which she read the following:

Taken together, the state must abide by provisions of federal law, the Alaska Statehood Act, and State Constitutional provisions under which the state has consented to the terms and conditions applicable to Statehood Act land grants and has a constitutional obligation to provide what I believe would be determined by the court to amount to a guaranteed access to the resources that underlay those land grants. To the extent that the property owner's bill of rights would propose to make access to those resources fully dependent on the surface owner's prior written consent, it would raise questions of compliance with terms and conditions of the Statehood Act.

CO-CHAIR DAHLSTROM remarked that there has been no discussion of the subsurface rights on the North Slope, although subsurface rights across the state will be impacted by this.

REPRESENTATIVE KERTTULA reiterated that there isn't a clear answer regarding whether Amendment 1 is unconstitutional. Mr. Chenoweth would've said it was if that was the case, she noted. Therefore, she said she didn't believe Amendment 1 is frivolous. She reiterated her belief that the property owners should "have the leg up" in this situation.

CO-CHAIR DAHLSTROM objected to Amendment 1.

A roll call vote was taken. Representatives Guttenberg, Kerttula, and Gatto voted in favor of the adoption Amendment 1. Representatives Wolf, Lynn, Dahlstrom, Masek, Heinze, and Stepovich voted against it. Therefore, Amendment 1 failed by a vote of 3-6.

REPRESENTATIVE STEPOVICH reiterated that he likes the idea of Amendment 1, and added that perhaps in the future surface and subsurface rights could be addressed.

Number 1812

REPRESENTATIVE KERTTULA moved that the committee adopt Amendment 2, which read [original punctuation provided]:

Page 47, Line 31; after "AS 46.04.900(25)", insert,
"AS 46.40.205"

Page 48, Line 11 - Line 12; delete all language

CO-CHAIR MASEK objected.

REPRESENTATIVE KERTTULA reminded the committee that part of what the legislature did last year with SB 69 was to remove local control from these decisions through the coastal management program. However, the entire leasing program no longer falls under the ambit of coastal zone review and the coastal zone management program has been changed significantly. Therefore, the first part of Amendment 2 would bring coastal leasing back under some sort of coastal zone management review. She then turned to the second part of Amendment 2 and page 48, lines 11-12, of Version V. The language on page 48, lines 11-12, basically says that lease applications under the old shallow natural gas program that were received by DNR before January 1, 2004, would proceed as under the old program. Therefore, about 80,000 acres would be left under the old program. She clarified that these applications haven't been processed or approved, and therefore she opined that any applications should have to come under any new program that the legislature institutes. Amendment 2 would provide the state more control, she noted.

Number 1952

MS. CROSLY acknowledged that DNR has received certain applications prior to the December 31st deadline. From the department's perspective, it's an issue of fairness, she opined. She informed the committee that there are five applicants, including Usibelli Coal Mine, Inc., and Holitna Energy who have filed shallow gas applications prior to the deadline. The leases would've normally already have been issued under the existing program, but DNR put in place a moratorium and began a public process to address concerns held by the public. Therefore, DNR felt it was fair to grandfather in lease applications filed by a certain date. The specified date is necessary in order to avoid any party from taking advantage of whatever the legislature decides.

CO-CHAIR DAHLSTROM asked if the cutoff dates coincide with the dates specified in the legislation, which Amendment 2 would delete.

MS. CROSLY said that Version V mirrors the cutoff dates DNR thought would be fair. In further response to Co-Chair Dahlstrom, Ms. Crosley confirmed that the language on page 48, lines 11-12, should remain in the legislation. In response to Representative Guttenberg, Ms. Crosley specified that

approximately 157,000 acres would be impacted by this moratorium. The acreage is in the Matanuska-Susitna Valley, Healy, and Holitna.

Number 2154

CO-CHAIR DAHLSTROM objected to Amendment 2.

REPRESENTATIVE KERTTULA said she respected what Ms. Crosley is saying. However, she reminded the committee that the moratorium is arbitrary to begin with. She reiterated that 80,000 acres are in the Matanuska-Susitna Valley. If there's a concern with regard to a certain geographic area, perhaps a geographic area needs to be exempt. "I think that, again, it's a really important statement that we expect this program to change because it certainly hasn't worked for our citizens," she remarked.

REPRESENTATIVE GUTTENBERG asked if Ms. Crosley has been in any discussion with the lease applicants regarding the status of their lease. He asked if the lease applicants are looking to withdraw their lease or change the conditions of it if the situation were to change.

MS. CROSLY said she didn't believe so, and therefore she didn't know what would happen if the situation changed.

Number 2276

REPRESENTATIVE GATTO declared a conflict of interest because he is a resident of the Matanuska-Susitna Valley and has leases under his property.

CO-CHAIR MASEK reminded the committee that there was an objection to Amendment 2, and therefore requested a roll call.

A roll call vote was taken. Representatives Kerttula, Gatto, Heinze, and Guttenberg voted in favor of the adoption of Amendment 2. Representatives Lynn, Stepovich, Masek, Dahlstrom, and Wolf voted against it. Therefore, Amendment 2 failed by a vote of 4-5.

Number 2349

CO-CHAIR DAHLSTROM moved to report CSHB 531, Version 23-LS1818\V, Chenoweth, 4/15/04, out of committee again with individual recommendations and the accompanying fiscal notes.

REPRESENTATIVE LYNN objected.

A roll call vote was taken. Representatives Gatto, Heinze, Stepovich, Wolf, Guttenberg, Kerttula, Masek, and Dahlstrom voted in favor of reporting Version V from committee again. Representative Lynn voted against it. Therefore, CSHB 531(RES), Version V, was again reported out of the House Resources Standing Committee by a vote of 8-1.

The committee took an at-ease from 2:32 p.m. to 2:37 p.m.

SB 329-NUISANCE MOOSE

CO-CHAIR MASEK announced that the next order of business would be CS FOR SENATE BILL NO. 329(RES), "An Act relating to control of nuisance moose."

Number 2449

SENATOR CON BUNDE, Alaska State Legislature, sponsor by request of the Alaska Moose Federation, informed the committee that some years ago 190 moose were killed in the Anchorage area. The aforementioned led him to hold public hearings regarding the notion of having a special hunt in order to reduce the number of moose. A substantial number of people came out and testified that they didn't want the moose hunted. Although the public seemed to have a high level of tolerance for the public being injured by moose, the public didn't address the moose being injured.

SENATOR BUNDE explained that the Alaska Moose Federation proposes that if there is a problem/nuisance moose in one area, the moose could be transported to another area rather than be killed. The committee substitute (CS) before the committee is a compromise between the Alaska Moose Federation and the Alaska Department of Fish & Game (ADF&G). This legislation would allow ADF&G to authorize a private group or individuals to relocate nuisance moose from urban to rural areas. He specified that a nuisance moose is defined as a moose located in area of human concentration that poses a significant risk to the health, safety, or economic well being of the people in the area. The group relocating the moose will cover the relocation costs and the state is protected against any liability arising from actions taken by the group. Senator Bunde pointed out that the committee packet includes information from the Alaska Moose Federation, which details the high number of moose-related

trooper calls as well as wide support for the legislation. The packet also contains the opinions of three biologists regarding the relocation of moose. While all three biologists have vast experience with wildlife management, one must remember the following: adult moose relocation programs in the US and Alaska have been successful; ADF&G must approve any private group's plan; ADF&G has experience darting large animals; there is appropriate liability protection [for the state]; the program is conducted at no cost to the state; people are killed and injured by moose and the financial costs are great; and the legislature is responsible for protecting Alaskans and its wildlife. Senator Bunde reiterated that there is a wide variety of support [included in the committee packet].

Number 2760

REPRESENTATIVE WOLF surmised that under this program urban dwelling moose would be transferred to rural wilderness areas. Therefore, he inquired as to whether disease would be spread with these relocation efforts.

SENATOR BUNDE deferred to ADF&G, but noted that to his knowledge there aren't any communicable diseases involving moose.

REPRESENTATIVE WOLF maintained his concern with the possibility of transmission of disease through these relocation efforts.

Number 2870

REPRESENTATIVE LYNN posed a situation in which a darted moose dies in transport to its new location. He asked if the meat would be edible and would be given to charity in such a circumstance.

SENATOR BUNDE specified that meat from a moose that has been darted shouldn't be consumed by humans for 45 days. He acknowledged that some relocated moose will die during relocation, although he pointed out that currently all nuisance moose die and in this case the relocated moose could provide "brood stock."

REPRESENTATIVE LYNN inquired as to how a hunter would know whether 45 days had passed since a moose he or she killed was darted.

SENATOR BUNDE answered that darted animals are collared and tagged so that a hunter would know not to eat the meat.

TAPE 04-22, SIDE B

REPRESENTATIVE GATTO requested that Senator Bunde walk the committee through a scenario in which a nuisance moose is ultimately relocated.

SENATOR BUNDE posed a scenario in which a moose is frequenting a schoolyard, or other location in which the moose could be a danger to human life and health. The ADF&G is called and the moose is labeled as a nuisance moose. Assuming that the Alaska Moose Federation is the entity that transports the moose, the moose is darted, tagged, and placed in wheeled transportation and transported to the release site if on the road system. If the release site isn't on the road system, helicopter transport would occur.

REPRESENTATIVE GATTO related his understanding that there would be a holding facility so that the moose would have time to metabolize the darting chemical, and therefore would be able to recover prior to being relocated.

SENATOR BUNDE said that the Alaska Zoo has offered its facilities to do what Representative Gatto described. However, he specified that he didn't view that as an extended holding area but rather an area for a two- or three-day stay.

Number 2829

REPRESENTATIVE HEINZE said she finds it interesting that the Alaska State Constitution mandates moose management by sustained yield principles and moose are considered a natural resource owned by all Alaskans. She inquired as to why it took the pipeline being shot at for Alaska Moose Federation to be founded.

SENATOR BUNDE answered that he didn't know.

REPRESENTATIVE GUTTENBERG related his understanding from ADF&G that when moose are relocated habitat sustainability is critical for the relocation area. Therefore, he inquired as to where the moose would be relocated. He also inquired as to whether it's a situation in which the [priority] is to remove the moose from the area in which it's causing a problem.

SENATOR BUNDE responded that ADF&G will determine the area to which the moose will be relocated. He explained that there is

the desire to relocate moose to areas where the habitat will sustain more animals and there is a low density of population. There is also the desire to move the moose from harm's way.

REPRESENTATIVE WOLF restated his earlier question regarding the transportation of disease by moose.

Number 2645

MATT ROBUS, Director, Division of Wildlife Conservation, Alaska Department of Fish & Game (ADF&G), said that he didn't know of any commonly found diseases that would be of concern. However, ADF&G would take interest in any moose that didn't look healthy. He predicted that once such a moose is identified, he didn't believe that moose would be relocated. In further response to Representative Wolf, he explained that CSSB 329(RES) is the result of meetings with the Alaska Moose Federation and the sponsor because ADF&G was concerned with regard to how such a program would draw off staff and fiscal resources. The current legislation illustrates one of the agreements reached, which is the third-party organization will have to agree to pay the state's costs and illustrate that it can pay those costs prior to entering the project. However, how this will actually work between the third party and the department is yet to be determined. He related that one scenario could be a third-party organization with qualified individuals, and therefore the third-party organization would have the program on its own and the department would merely help identify which moose are to be considered nuisances and where those moose should be relocated. Another scenario could be one in which ADF&G could possibly have some personnel involved, but the third-party organization would reimburse the department for its staff time. This all depends upon the nature of the agreement, the size of the project, and things yet to be determined.

REPRESENTATIVE GATTO asked if the moose would be darted when picked up and again when relocated from the zoo.

MR. ROBUS said that he hasn't been involved with moving moose or any other animal that size without immobilizing it. Although there may be mechanical techniques that could be utilized to get the moose in the trailers, he indicated that there could be two immobilization periods.

Number 2482

REPRESENTATIVE GATTO asked if performing this relocation effort and staging the moose at the zoo during the rut would be problematic.

MR. ROBUS answered that during the rut one would need to take care if placing multiple moose of different sex in the same holding area. There would have to be some careful big game management considerations during that time of the year.

REPRESENTATIVE GATTO commented that the goal is to ensure that the state doesn't end up spending a lot of money for a nuisance moose when the animal could easily be dispatched in place and the meat distributed to the charities.

MR. ROBUS related that when animals move into the Anchorage area and become nuisances, it is typically during the winter season and probably post-rut. Mr. Robus related ADF&G's concern that [relocation efforts] done in late winter when the animals are in the worst condition of the year mean that the moose will probably do the worst in terms of capture mortality.

Number 2378

REPRESENTATIVE STEPOVICH inquired as to the qualifications necessary to move moose.

MR. ROBUS answered that he didn't believe there to be hard and fast qualifications, except in the area of handling the drugs involved. Due to the types of drugs used, a veterinarian will have to be in charge of the drugs. The aforementioned could be performed under the department's authority and third-party individuals work under that umbrella or a third-party organization could have a separate operation with veterinarian help that qualifies to possess and dispense the necessary drugs. In terms of laws, rules, and safety, the handling of the drugs is the most critical part of this whereas much of the handling of the animals is merely good practical sense. In further response to Representative Stepovich, Mr. Robus pointed out that the legislation specifies that there will be a written application and proposal. He confirmed that there could be more than one third-party organization and it could take on different forms. With regard to a moose returning to the spot from which it was taken, he suggested that there would be relatively little problem with it returning.

CO-CHAIR DAHLSTROM declared a conflict of interest because she is a member of the advisory board for the Alaska Moose

Federation. With regard to moose meat going to charities, Co-Chair Dahlstrom said that the Alaska State Troopers have a list of charities that are interested in moose meat. She related that many of those involved with the Alaska Moose Federation and promoting this program are individuals with a genuine love for the animals. She highlighted that the legislation specifies on page 1, lines 13-15, that the group(s) or individuals will reimburse the state for all costs incurred for relocating nuisance moose. She further related that the folks she knows who are involved in this all have professional veterinarians and equipment. Furthermore, folks who raise these animals on an ongoing basis undergo inspections and must comply with state and federal regulations.

Number 2076

REPRESENTATIVE GUTTENBERG asked if there are regulations in place for this process.

MR. ROBUS replied yes, and explained that ADF&G has collecting permits which allow the department to take and handle animals and there is a staff veterinarian who can hold and dispense the necessary drugs. Mr. Robus noted that ADF&G staff go to training. He said that it's a matter of regulations as well as training, practice, and expertise.

REPRESENTATIVE GUTTENBERG asked if this is going to be a statewide effort or merely an Anchorage basin effort.

MR. ROBUS explained that in the negotiations that resulted in CSSB 329(RES), everyone agreed that the legislation will be a pilot effort for the Municipality of Anchorage.

Number 1931

REPRESENTATIVE WOLF related his understanding that there are approximately 190 moose in the Anchorage area.

MR. ROBUS stated that in a winter such as this, there are probably nearly 1,000 moose in the Anchorage bowl.

REPRESENTATIVE WOLF questioned how one organization can take on a task that size.

MR. ROBUS answered that he wasn't sure, but opined that's part of why it's a pilot project. The question regarding whether the nuisance moose problem can be whittled down over time with this

approach has yet to be seen. Given the compromise encompassed in CSSB 329(RES), ADF&G is willing to give this proposal a try and possibly even help some moose populations.

REPRESENTATIVE WOLF remarked that the idea has merit, although he felt that it would be more economical to provide moose meat to [charitable organizations].

Number 1845

CO-CHAIR MASEK announced that SB 329 would be held over.

ADJOURNMENT

There being no further business before the committee, the House Resources Standing Committee meeting was adjourned at 3:12 p.m.