

**ALASKA STATE LEGISLATURE
HOUSE RESOURCES STANDING COMMITTEE**

April 10, 2006

1:38 p.m.

MEMBERS PRESENT

Representative Jay Ramras, Co-Chair
Representative Jim Elkins
Representative Carl Gatto
Representative Gabrielle LeDoux
Representative Kurt Olson
Representative Paul Seaton
Representative Harry Crawford
Representative Mary Kapsner

MEMBERS ABSENT

Representative Ralph Samuels, Co-Chair

COMMITTEE CALENDAR

HOUSE BILL NO. 304

"An Act relating to the commercial fishing loan program; and providing for an effective date."

- MOVED CSHB 304(RES) OUT OF COMMITTEE

HOUSE BILL NO. 464

"An Act relating to the possession of the edible meat of big game animals."

- MOVED CSHB 464(RES) OUT OF COMMITTEE

PREVIOUS COMMITTEE ACTION

BILL: HB 304

SHORT TITLE: COMMERCIAL FISHING LOAN PROGRAM

SPONSOR(s): REPRESENTATIVE(s) COGHILL

05/07/05	(H)	READ THE FIRST TIME - REFERRALS
05/07/05	(H)	FSH, RES, FIN
03/22/06	(H)	FSH AT 8:30 AM CAPITOL 124
03/22/06	(H)	Moved CSHB 304(FSH) Out of Committee
03/22/06	(H)	MINUTE(FSH)
03/24/06	(H)	FSH RPT CS(FSH) 2DP 3NR
03/24/06	(H)	DP: ELKINS, THOMAS;

03/24/06 (H) NR: HARRIS, KAPSNER, WILSON
04/03/06 (H) RES AT 2:00 PM CAPITOL 124
04/03/06 (H) Heard & Held
04/03/06 (H) MINUTE(RES)

BILL: HB 464

SHORT TITLE: WANTON WASTE OF BIG GAME

SPONSOR(S): REPRESENTATIVE(S) CROFT

02/13/06 (H) READ THE FIRST TIME - REFERRALS
02/13/06 (H) RES, JUD
04/05/06 (H) RES AT 1:00 PM CAPITOL 124
04/05/06 (H) Heard & Held
04/05/06 (H) MINUTE(RES)

WITNESS REGISTER

RYNNIEVA MOSS, Staff
to Representative John Coghill
Alaska State Legislature
Juneau, Alaska

POSITION STATEMENT: Presented HB 304 on behalf of Representative Coghill, sponsor.

GREG WINEGAR, Director
Division of Investments
Department of Commerce, Community, & Economic Development
POSITION STATEMENT: Answered questions regarding HB 304.

LEA KLINGERT, President
Alaska Commercial Fishing and Agriculture Bank (CFAB)
Anchorage, Alaska
POSITION STATEMENT: Answered questions regarding HB 304.

REPRESENTATIVE ERIC CROFT
Alaska State Legislature
Juneau, Alaska
POSITION STATEMENT: Presented HB 464 as sponsor.

RON SOMERVILLE, Vice Chair
Board of Game
Juneau, Alaska
POSITION STATEMENT: Testified in support of HB 464.

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

POSITION STATEMENT: Answered questions regarding HB 464.

ROD ARNO

Alaska Outdoor Council

Palmer, Alaska

POSITION STATEMENT: Testified in support of HB 464.

ACTION NARRATIVE

CO-CHAIR JAY RAMRAS called the House Resources Standing Committee meeting to order at [1:38:44 PM](#). Representatives Ramras, Elkins, Crawford, Seaton, Olson, and Gatto were present at the call to order. Representative Kapsner and LeDoux arrived as the meeting was in progress.

HB 304-COMMERCIAL FISHING LOAN PROGRAM

CO-CHAIR RAMRAS announced that the first order of business would be HOUSE BILL NO. 304, "An Act relating to the commercial fishing loan program; and providing for an effective date."

RYNNIEVA MOSS, Staff to Representative John Coghill, Alaska State Legislature, presented HB 304 on behalf of Representative Coghill, Sponsor.

[1:40:08 PM](#)

CO-CHAIR RAMRAS said version L was before the committee.

MS. MOSS said it was discussed but not adopted.

REPRESENTATIVE SEATON noted that Version L was adopted as a working document. He said Co-Chair Samuels brought up an amendment in the last committee and it may have been adopted.

MS. MOSS said it was discussed, but no amendments passed.

REPRESENTATIVE SEATON suggested offering Co-Chair Samuels amendment as Amendment 5.

REPRESENTATIVE GATTO moved Amendment 1, as follows [original punctuation provided]:

Page 2, line 8:

Delete:

"other recognized commercial lending institutions,"

Insert:

A state financial institution as defined in AS
06.01.050(3), a federally-chartered financial
institution, or the Commercial Fishing and
Agricultural Bank,

REPRESENTATIVE ELKINS objected.

MS. MOSS said Amendment 1 resulted from Representative Gatto's concern that a financial institution was not adequately defined. She said that Mark Davis, Director, Division of Banking and Securities, agreed and suggested the amendment language.

Hearing no further objections, Amendment 1 carried.

REPRESENTATIVE SEATON offered Amendment 2 as follows [original punctuation provided]:

Page 5, line 24

Delete "\$335,000"

Insert "\$400,000"

REPRESENTATIVE GATTO objected.

REPRESENTATIVE SEATON explained that there are outstanding loans, including at least five from his district, that are between \$335,000 and \$400,000, "and this is the refinancing portion." He said there is only one outstanding loan that is above that, but it has been "paid down to that level." He said making the loan limit \$400,000 "would allow the refinancing of the traditional amounts here that have been used in my district." He noted that it is still quite a reduction from the current limit of \$630,000. He said quota, community, and product quality loans used to be excluded from the limit, "and now we are including those in the refinance amount, so dropping this refinance amount to \$335,000 and including all of those different portions, which used to be outside, would severely restrict the program."

REPRESENTATIVE GATTO asked how \$400,000 came about.

1:45:35 PM

REPRESENTATIVE SEATON said there are five loans out in his district that are between \$335,000 and \$400,000 and only one above that. The bill will still present a severe restriction but will maintain the majority of current loans in his district.

REPRESENTATIVE GATTO withdrew his objection.

MS. MOSS said Representative Coghill opposes the amendment, "because the whole genesis of this bill was to determine how far in debt you want somebody to go before they drown." She said loans can be up to \$630,000, and "refinancing is already in this bill limited to \$200,000, and the \$335,000, we don't believe really affects any existing loans because of the fact that refinancing is limited to \$200,000 already." However, he will go with what the committee decides, she stated.

REPRESENTATIVE SEATON said it is his understanding that a number of different loans will now be included in the total limit.

CO-CHAIR RAMRAS asked about borrowers currently above the new limit.

1:48:05 PM

GREG WINEGAR, Director, Division of Investments, Department of Commerce, Community, & Economic Development, said there are six borrowers who have loans of over \$335,000, and those individuals will be grandfathered in. He said the attorney general's office said that if interest rates decline, these six individuals would not be able to refinance, but the loans would not become due as a result of the legislation.

REPRESENTATIVE SEATON asked Mr. Winegar to explain the impacts of the aggregation of different loans.

MR. WINEGAR said part of the statute, called external refinancing, allows borrowers to refinance existing loans from other lenders. He said this bill will reduce that limit from [\$300,000 to \$200,000]. The \$335,000 limit relates to a combination of all of these various loans. Under the existing statute, the combination of loans are limited to \$930,000, and that would be reduced to \$335,000 under this bill. There are no borrowers even close to the current limit, but legally they could be. He said each borrower would have to demonstrate adequate collateral and the capacity for repayment.

REPRESENTATIVE KAPSNER asked if any borrowers are "drowning in debt."

[1:51:10 PM](#)

MR. WINEGAR said he would not use that terminology, but there have been unanticipated difficulties. The Division has a lot of latitude to work with those individuals, but delinquency rates are down "in the 5 percent range."

REPRESENTATIVE SEATON said the loans include quota share, vessel, and permit loans, and the limit is on the aggregate amount. The [limits might be reached] if there is a drop in the interest rates and "somebody has \$380,000 in loans that they would like to refinance at a lower interest rate. All of a sudden we're saying, 'Oh we're going to keep you at the high interest rate and not allow you to refinance.'"

REPRESENTATIVE CRAWFORD asked about the refinance limit of \$200,000 and if the amendment would change it to \$400,000.

[1:53:27 PM](#)

MR. WINEGAR said there are two types of refinancing. The \$200,000 limit refers to an external refinance, where the state offers refinancing to an individual who has a loan from another lender. Another type just allows any borrower to refinance their loans internally. If those borrowers were over the limit, they are the ones who could not refinance if interest rates decline. If someone had an external refinance of \$200,000, that would also count against the \$335,000 limit, he said. "It is the combination of all of those loans that would need to be under \$335,000, or \$400,000 as proposed in the amendment."

[1:54:31 PM](#)

REPRESENTATIVE SEATON said quota share loans are \$20 per pound, "so you don't get very much poundage to maintain an industry...so if you have an aggregate of boat and quota loan at \$335,000, you basically [are] saying we are going to keep these people at an uneconomic limit." He said the state has this program to keep Alaskans in the industry, and borrowers should be allowed to refinance if interest rates fall.

REPRESENTATIVE GATTO asked about page 5, line 21, and if (C), (D), and (F) amount to about \$65,000. He asked Representative

Seaton if his intent was to include that amount in the total, thereby raising it to \$400,000.

[1:55:50 PM](#)

REPRESENTATIVE SEATON said it depends on personal needs. He said (C) is quota share loans, which could be the \$400,000 in itself. "This is an aggregated amount of \$400,000, which isn't very much to have your entire fishing operation, including quota, boat, permits, everything. Previously those were excluded and now they are being included in this aggregated amount." Mr. Winegar just testified that the current limit is \$930,000, and the amendment allows it to go down to \$400,000. He said going below an amount that several borrowers are above and who wouldn't be able to refinance, doesn't seem to be the spirit of the program.

REPRESENTATIVE GATTO asked what (D) and (F) constitute.

MR. WINEGAR said (C) is quota shares, (D) is the tax obligation loans, and (E) is the community quota entity program, which doesn't equate to individual borrowers—it is a separate program. He said (F) is for product quality improvements for processors. Current statute excludes all of those things, he noted, but the bill is limiting all loans added together.

REPRESENTATIVE CRAWFORD asked what the highest loan is.

[1:58:51 PM](#)

MR. WINEGAR said the balance for that person is \$530,000.

REPRESENTATIVE CRAWFORD said the logic is if others could come in and refinance, that person could too. He said this program has served the community well.

REPRESENTATIVE KAPSNER suggested an amendment to grandfather current borrowers and allow them to refinance.

MS. MOSS said she has not heard this discussion. "Considering the fact that you are including more loan programs in the limit, I don't think Representative Coghill would—I think he would change his position on the \$400,000."

[2:00:22 PM](#)

REPRESENTATIVE GATTO removed his objection. Hearing no further objections, Amendment 2 carried.

REPRESENTATIVE SEATON said Amendment 3 is not being offered. He offered Amendment 4 as follows [original punctuation provided]:

Page 4, line 31-Page 5, line 2

Delete all revised language

(2) may not bear interest exceeding [the prime rate plus two percentage points; for purposes of this paragraph. "prime rate" has the meaning given in AS 44.88.599;]

Insert existing statutory language to read:

(2) may not bear interest exceeding 10 ½ percent;

REPRESENTATIVE GATTO objected.

[2:01:19 PM](#)

REPRESENTATIVE SEATON said HB 304 eliminates the 10.5 percent cap on interest rates, and this amendment retains that cap.

MS. MOSS said Representative Coghill thinks the state is already subsidizing these clients because many elements of the loan program can freeze interest or allow more time to pay back debts. If the state is in the lending business, it should have the same flexibility as any other financial institute to base interest rates on prime rates. She noted that these are loans of last resort, and in the private sector, the higher the risk, the higher the interest--and interest rates are not going down.

[2:02:44 PM](#)

MS. MOSS said, in response to Co-Chair Ramras, that the prime rate is tied to the Wall Street Journal rate.

CO-CHAIR RAMRAS noted that the federal prime rate is five, but current [commercial loans] are not at seven percent.

The committee took an at-ease from 2:03 p.m. to [2:07:36 PM](#).

CO-CHAIR RAMRAS said if the federal fund rate is at five percent, the lowest published prime rate may be about seven

percent, so the prime plus two rate is about 4 points above the "fed rate." He said the program has a very low delinquency rate, and the state, by raising the interest rate, would earn more in interest but risk more in delinquencies.

REPRESENTATIVE GATTO asked if the 10.5 percent limit is for the borrower or the lender.

[2:09:29 PM](#)

MS. MOSS said the lender can't charge more than 10.5 percent.

REPRESENTATIVE GATTO said if prime is seven, why shouldn't the state be able to charge 11 percent interest? That is what the free market would require, he stated.

MR. WINEGAR said current statute restricts the rate from being over 10.5 percent. He said prime plus two kicks in until it goes above 10.5.

REPRESENTATIVE GATTO suggested a halt in providing loans when interest rates go beyond 10.5, because someone could turn around and sell the loan for 14 percent.

CO-CHAIR RAMRAS surmised that a loan couldn't be sold. He said his plumber has a sub-prime borrowing rate from Key Bank on a line of credit, which could be prime minus 1. Co-Chair Ramras borrows at prime plus 1 because he is in the restaurant business. He said some corporations are "prime borrowers."

[2:12:33 PM](#)

REPRESENTATIVE GATTO asked if the state will give a 10.5 percent loan when interest rates are 20 percent.

MR. WINEGAR said under the existing statute, yes.

REPRESENTATIVE GATTO said it would be foolish to not borrow money.

MR. WINEGAR said if a person met the eligibility requirement, he or she would probably pursue that loan.

REPRESENTATIVE SEATON said to remember the program is designed for mom & pop businesses, not big corporations, and borrowers have to be rejected by a commercial bank. To maintain a diverse industry with some long term planning, interest rates should be

dependable. The borrowers are "local coastal folks that don't have lots and lots of assets." The purpose of the amendment is to keep people working and in the industry and allow them some security, and it will set people up to fail if interest rates go up to 17 percent. He added that the borrower has to be an Alaska resident and involved in the industry "for a while."

[2:15:22 PM](#)

REPRESENTATIVE GATTO said it may not be important to know who the borrower is. Every applicant, rich or poor, has a barrier to getting the loan. He questioned making loans for five percentage points less than the market demands. He said, "If indeed you are a small fisherman and you would like to small fish, well, in the existing market it's too expensive to do it." He said he sees no logic besides, "I'm a nice guy; I'd like to give cheaper loans than the free market."

CO-CHAIR RAMRAS said he has borrowed from AIDEA and plans to do so in the future. He said getting Alaskans access to capital is A-OK with him. The state has money in its general fund, so it costs "zero" to loan money. He added that the state cannot lose money by lending money, but it can lose from delinquency and defaults. He added that by letting the interest rates go up, the state risks high default rates.

[2:18:22 PM](#)

REPRESENTATIVE GATTO asked if the same person is [getting] a new loan every year.

REPRESENTATIVE SEATON said fishermen will have a boat and a permit and then may diversify when salmon is down. He said people are not eager to borrow at prime plus two, and the division requires careful scrutiny of the borrower. The delinquency rate shows that the division is doing a good job, he stated, and the program makes money every year. It has paid back all of the initial deposit and is now paying dividends, he said.

REPRESENTATIVE GATTO spoke of secondary education and farm loans and asked if the interest rate cap is unique for state loans.

[2:21:28 PM](#)

MS. MOSS said that is one reason the bill was introduced. Representative Coghill wanted to eliminate the Division of

Investment, but was convinced by Mr. Winegar that [the program] is good for fishermen because of the ups and downs in the industry. But she thinks he would agree with Representative Gatto and said there are "other provisions of this loan program that aren't visible in this bill that draw some concern to [Representative Coghill], and that is that interest has been put on a freeze." There are special conditions given to fishermen that wouldn't be in any other state loan program, she stated.

[2:22:53 PM](#)

REPRESENTATIVE CRAWFORD asked if the Commercial Fishing and Agriculture Bank (CFAB) has a cap.

LEA KLINGERT, President, Alaska Commercial Fishing and Agriculture Bank, said CFAB loans are at a variable interest rate that is not tied to prime but to an internal base. It is on a floating rate called base plus two. Right now the base is 6.5 percent, and she said it fluctuates.

[2:24:39 PM](#)

REPRESENTATIVE SEATON said this [loan program] is not giving credits like the state provides to mining or oil industries. "This isn't a tax credit...it is capping an interest rate, so we are making money on all these loans." There is nothing for free but it helps keep people in the industry, he said. This program works for maintaining Alaska businesses here and does a good job.

REPRESENTATIVE GATTO said he doesn't have a problem with that but is concerned with "the inherent unfairness of bona fide opportunity for one group at the expense to every single other group." He said he hasn't heard of a single other group that has a cap on interest rates. He asked to hear the sponsor's viewpoint.

MS. MOSS said Representative Coghill is in a meeting and this bill still has a hearing in the House Finance Committee.

REPRESENTATIVE SEATON read from the statutes and said interest on post secondary loans may not exceed 8.25 percent.

[2:27:56 PM](#)

CO-CHAIR RAMRAS said he is comfortable with the House Finance Committee looking at it. A roll call vote was taken.

Representatives Crawford, Ramras, Olson, Seaton, and Elkins voted in favor of Amendment 4. Representative Gatto voted against it. Therefore, Amendment 4 carried by a vote of 5-1.

[2:30:07 PM](#)

REPRESENTATIVE SEATON moved to report CSHB 304(FSH), as amended, out of committee with individual recommendations and the accompanying fiscal notes. Hearing no objections, CSHB 304(RES) was passed out of the House Resources Standing Committee. [At the end of the meeting Representative Seaton noted that he is in the fishing industry but he has never had a state loan.]

[2:31:10 PM](#)

HB 464-WANTON WASTE OF BIG GAME

CO-CHAIR RAMRAS announced that the final order of business would be HOUSE BILL NO. 464, "An Act relating to the possession of the edible meat of big game animals."

REPRESENTATIVE ERIC CROFT, Alaska State Legislature, Sponsor, suggested adopting Version L, which provides the most deference to the Board of Game in regulating wanton waste of big game.

REPRESENTATIVE CRAWFORD moved to adopt the committee substitute (CS) for HB 464, 24-LS1258\L, Kane, 4/5/06, as the working document. Hearing no objections, Version L was before the committee.

[2:32:41 PM](#)

RON SOMERVILLE, Vice Chair, Board of Game, said the bill attacks a major problem in the state, and he noted that at a the Board of Game meeting in Kotzebue residents expressed strong views on the wanton waste of game by sport hunters. He spoke of support for regulating transporters to abide by standards and laws or lose privileges, an effort which has begun in one unit, but only by providing information. He said Representative Croft has a novel idea in HB 464, and it would give the board another tool, but making it statewide would create an enforcement nightmare. The bill is pointed directly at trophy hunting, but it could affect others "who may not qualify for a Boone and Crocket."

[2:36:36 PM](#)

MR. SOMERVILLE said the board should look favorably at the legislation. He said page 1, line 6, is consistent with the sponsor's intent, but he suggested inserting "minimum" between "the" and "salvage".

[2:38:46 PM](#)

REPRESENTATIVE GATTO asked for a definition of big game.

MR. SOMERVILLE said the board has the authority to establish that definition if there is any question about it.

REPRESENTATIVE GATTO noted the language pertaining to the trophy of an animal that "that person killed." He asked the consequences of someone else killing the animal. He suggested rewording the bill to say it doesn't matter who killed it.

[2:41:34 PM](#)

REPRESENTATIVE SEATON said the person who gets legal possession of the horns is the hunter.

MATT ROBUS, Director, Wildlife Conservation, Alaska Department of Fish & Game, said someone carrying around someone else's meat would need a note from the hunter, "otherwise you already have a legal problem."

REPRESENTATIVE GATTO said he wants the bill to be bullet-proof.

[2:44:07 PM](#)

MR. SOMERVILLE said a person who does not lawfully possess the animal cannot transfer it, and he thinks the language is fine.

ROD ARNO, Alaska Outdoor Council, said he is a big game guide. He thanked Representative Croft for introducing HB 464, but he said it is an enforcement issue, and wildlife enforcement is on the decline. He noted that there were 118 fish and wildlife protection officers 25 years ago when there were 500,000 Alaskans; now there are only 84 officers with a population of over 650,000 residents. He spoke of the lack of enforcement in the field, "nor do we have the wildlife investigation bureau spending their time to pursue the complaints." Air taxis and others are aware that prosecutions aren't taking place so violations of the wanton waste laws are increasing, and he said the problem is Section 16.30.017. "The three defenses they have there, they're not even applicable." He said a stolen animal is

likely regulated elsewhere [in statute]. The second defense of weather and acts of god causing loss of meat is no longer appropriate because of satellite phones and other technology; "it is the hunter's choice whether or not that game is lost due to weather." He said with electric fences, the defense of losing meat to a wild animal "is the hunter's choice."

[2:47:56 PM](#)

CO-CHAIR RAMRAS noted that Version L is before the committee.

MR. ARNO said Version L will "negate what's already in 16.30.017, when if you really wanted to correct this problem of wanton waste without reducing the minimum that people are responsible for, I think it'd be better to go ahead and delete 16.30.017, as opposed to creating another statute."

[2:48:46 PM](#)

REPRESENTATIVE CROFT said he agrees it is an enforcement issue, and the purpose was to give a flexible tool to the Board of Game, which would have "the ability to adopt regulations that say, 'we don't care about an act of god, these minimums apply regardless.'" He said he agrees with Mr. Arno, and "eliminating the defenses in regards to whether or not you keep your trophy horns is one thing, eliminating the defense from complete wanton waste, where somebody really did get stuck out for an extra week and the penalties are jail or losing a boat or losing a plane, I just wasn't comfortable with. So I wanted this medium step where we would eliminate the defenses." He said bears do eat game, but it probably happens a lot less than claimed, and this "middle ground" is where getting rid of these defenses could be tested. If a hunter claims a bear or an act of god destroyed the meat, "we may not be able to throw you in jail, but we can say you just don't get to keep the horns no matter what the excuse." The board would have that authority, he said.

[2:50:36 PM](#)

REPRESENTATIVE SEATON said he is trying to understand Mr. Arno's concern that Version L doesn't eliminate the defenses listed in statute. He asked if the bill will give the Board of Game the authority to make regulations or if the statute will still allow the same defenses.

[2:52:29 PM](#)

REPRESENTATIVE CROFT said all the defenses to wanton waste would still apply and the entire structure is held, but in addition, the Board of Game may establish a minimum salvage requirement applicable only to keeping the horns. There are a lot of people who lie, but to throw the full impact of a wanton waste prosecution when the truth is not known, "I wasn't ready to do that." The forfeiture of the horns is a lower level of prosecution when it is not practicable to prove right or wrong. If a hunters comes out of the field with three caribou [antlers] and one bag of meat, "in this state you just don't get to keep them." It is not just out-of-state hunters, he noted.

[2:54:41 PM](#)

REPRESENTATIVE LEDOUX said she likes the bill because it reminds her of the excuse of "a dog eating your homework; you may not get expelled from school, but you don't get credit for your homework, and that is sort of what this bill is doing."

REPRESENTATIVE SEATON asked if automatic forfeiture would apply to a person who doesn't have lawful possession.

REPRESENTATIVE CROFT said the hunter has legal possession of the trophy once the animal is shot. So the Board of Game will be authorized to determine that the hunter does not have possession until the meat is salvaged.

[2:56:28 PM](#)

REPRESENTATIVE ELKINS asked about bears.

REPRESENTATIVE CROFT said he considered hides, but the main problem is wasting the meat of big game animals.

[2:57:00 PM](#)

CO-CHAIR RAMRAS said he wants to makes sure that the misdemeanor charge remains intact. He asked about amendments.

REPRESENTATIVE SEATON offered conceptual Amendment 1 which would insert "minimum" on page 1, line 6, between the words "the" and "salvage". Hearing no objections, Amendment 1 carried.

REPRESENTATIVE SEATON offered Amendment 2, which was written and presented by Mr. Somerville [original punctuation provided]:

Sec. 2. AS 16.30.012 is amended by adding a new subsection to read:

(c) The Board of Game may adopt regulations for specific areas of the state setting, for any big game animal, the minimum amount of edible meat that must be possessed by a hunter who possesses the antlers or horns of the big game animal.

Hearing no objections, Amendment 2 carried.

[2:58:36 PM](#)

CO-CHAIR RAMRAS asked if, with these amendments, Mr. Somerville thinks the intent of the bill is adequately addressed.

MR. SOMERVILLE said it does, and the sponsor can speak to that. He said the bill is meant to reduce the wanton waste that is currently not enforceable.

REPRESENTATIVE SEATON asked if the bill should include language specifying that the Board of Game may establish criteria for forfeiture of horns. He doesn't think the bill gives that authority to the board or to ADF&G.

MR. ROBUS suggested asking a law enforcement specialist, but he stressed that the issue is a huge problem in reality and in perception for the Alaskan bush.

[3:00:23 PM](#)

REPRESENTATIVE SEATON said he would like to offer an amendment along those lines, and he asked who would establish those criteria, the department, the board, or the legislature.

MR. ROBUS said there are other departments involved in this legislation, and he is unclear on how it should be done.

[3:01:18 PM](#)

REPRESENTATIVE GATTO suggested substituting "legally taken by the hunter" on line 5, [to eliminate a loophole].

MR. ROBUS said the language clearly assigns an animal to a person who is responsible for salvaging the meat, but he warned that he is not an attorney.

[3:02:31 PM](#)

REPRESENTATIVE SEATON offered conceptual Amendment 3 as follows:

The Board of Game may establish criteria for forfeiture of horns if the minimum salvage requirements are not met.

REPRESENTATIVE GATTO objected.

REPRESENTATIVE CROFT said Amendment 3 follows his intent.

MR. SOMERVILLE said it is a good amendment and noted that an animal not legally taken is owned by the State of Alaska.

REPRESENTATIVE GATTO asked if the term "minimum salvage requirement" is in regulation as a percentage of an animal.

MR. ROBUS said the minimum is different for different species, but there are regulatory definitions.

[3:05:22 PM](#)

CO-CHAIR RAMRAS noted that Amendment 2 should allow the board to establish the minimum amount of edible meat in possession.

REPRESENTATIVE GATTO removed his objection.

Seeing no further objections, conceptual Amendment 3 carried.

REPRESENTATIVE SEATON moved to report the CS for HB 464, 24-LS1258\L, Kane, 4/5/06, as amended, out of committee with individual recommendations and the accompanying fiscal notes. Hearing no objections CSHB 464(RES) passed out of committee.

ADJOURNMENT

There being no further business before the committee, the House Resources Standing Committee meeting was adjourned at [3:07 PM](#).