

SENATE FINANCE COMMITTEE  
March 12, 2014  
9:13 a.m.

[9:13:27 AM](#)

CALL TO ORDER

Co-Chair Meyer called the Senate Finance Committee meeting to order at 9:13 a.m.

MEMBERS PRESENT

Senator Pete Kelly, Co-Chair  
Senator Kevin Meyer, Co-Chair  
Senator Anna Fairclough, Vice-Chair  
Senator Click Bishop  
Senator Mike Dunleavy  
Senator Lyman Hoffman  
Senator Donny Olson

MEMBERS ABSENT

None

ALSO PRESENT

Senator Peter Micciche; Ben Mulligan, Legislative Liaison, Department of Fish and Game; Larry Semmens, Staff, Senator Peter Micciche; Representative Mike Chenault; Tom Wright, Staff, Representative Mike Chenault;

PRESENT VIA TELECONFERENCE

Al Barrette, Self, Fairbanks.

SUMMARY

SB 77 BIG GAME HUNTING WITH CHILDREN

CSSB 77(RES) was REPORTED out of committee with a "do pass" recommendation and with a previously published zero fiscal note: FN1(DFG).

HB 231 CATTLE BRAND REGISTRATION

HB 231 was HEARD and HELD in committee for further consideration.

Co-Chair Meyer discussed the meeting's agenda.

#sb77

SENATE BILL NO. 77

"An Act relating to big game hunting with children."

9:14:48 AM

SENATOR PETER MICCICHE, presented SB 77. He related that hunting was a large part Alaska's cultural heritage and that it was most effectively passed on to the next generation by encouraging that it be done responsibly. He stated that the Board of Game currently possessed the ability to establish special hunts in order to ensure the responsible instruction and indoctrination of young hunters; the bill gave the board more flexibility to establish youth hunts. He stated that the idea was largely brought to the sponsors by the Board of Game and that Ted Spraker, who lived in his district, was an advocate of youth hunts. He shared a personal story about how the Teens on Target Program had taught his daughter how to shoot firearms and be safe with them; the program had then taken the female teens on a hunt and taught them responsible hunting practices. He stated that the bill allowed for youth hunts to happen more often; it also specified that during hunts for Sitka Black-tailed Deer in areas where the annual limit was one animal, only one tag would have to be punched. He expounded that the adult's tag would not have to be punched as a result of the bill. He furthered that the legislation also removed the limitations that youth hunts had to be scheduled during regular hunting season. He thought that encouraging youth to responsibly participate and carry on Alaska's great hunting tradition and outdoor heritage was very important for youth development and quality multi-generational outdoor experiences.

9:18:44 AM

AT EASE

9:20:13 AM

RECONVENED

AL BARRETTE, SELF, FAIRBANKS (via teleconference), spoke in favor of SB 77; however, he wanted to make people aware of the specific inclusion of Sitka Black-tailed Deer in the legislation. He noted that the Sitka meeting had determined that one deer was a fairly small animal and should not count against an entire family's bag limit; he thought that areas that had a black bear limit of one could qualify for the same bag-limit exclusion as the Sitka Black-tailed Deer. He recommended that an amendment be added to the legislation that gave the Board of Game the ability to waive both bag limits in order to give it flexibility in addressing situations where a game animal should not count against both of the bag limits; this would allow an adult and child to each take a species. He thought that the bill was well written, other than his suggested amendment.

[9:22:13 AM](#)

Co-Chair Meyer CLOSED public testimony.

Co-Chair Kelly inquired what the process would be regarding the qualification for the youth hunts. Senator Micciche responded that a representative from the Department of Fish and Game (ADFG) was present to address questions about youth hunts.

Co-Chair Kelly recalled that he had been the primary sponsor of the original youth hunt bill when it had passed in 1999 or 2000. He recalled that when he was a kid, school did not start until a little later on in the hunting season; in some cases, the startup of school had deliberately corresponded with the hunting seasons. He explained that over time, the school year had been lengthened and that it had become more difficult to get children hunting. He recalled that after the bill had passed, he had wanted to take his kids hunting at the early date; however, he found out that were there classes and other complications that one needed to do months prior to the hunt. He shared a personal story about how he and his children were unable to shoot a bull moose that they saw during the early youth hunting season.

Co-Chair Kelly inquired how complicated it would be this time around to participate in the youth hunts. He further inquired if the Board of Game would make so many barriers that a family would be unable to go hunt in August before school started.

BEN MULLIGAN, LEGISLATIVE LIAISON, DEPARTMENT OF FISH AND GAME, replied that it was already on the books that in some game management units, youth had to take a hunter education class; however, the Board of Game had the ability to waive the requirement of having the youth take a hunter education class if the hunting was in a safe area and they were accompanied by an adult that had taken the class. He added that the board had lately allowed the above exception. He was unsure how the board would set up the requirements for the youth hunt and deferred that portion of the question to Mr. Spraker.

Co-Chair Kelly requested Mr. Mulligan to pass a message on to the Board of Game that the class requirements were nonsense; he thought that people should be able to get out hunting.

[9:26:08 AM](#)

Senator Hoffman noted that by definition, a 17 year-old was a child; however, in his district there were many 15, 16, and 17 year-olds that went Ptarmigan hunting without an adult. He inquired if these individuals would no longer be able to go hunting without an adult if the bill passed. Senator Micciche responded that they could still hunt as normal and that the bill applied only to the special hunts.

Mr. Mulligan interjected that the bill did not change anything pertaining to normal hunts, such as small game. He stated that the way the bill was written currently, the individuals that Senator Hoffman had mentioned would still be able to hunt Ptarmigan in the same fashion.

Vice-Chair Fairclough recalled work on the bill in the Senate Resource Committee prior to the new CS being released. She noted that the bill had originally contained the word "may" instead of "shall" on line 5. She referenced a letter to Co-Chair Kelly from Mr. Spraker, who was the chairman of the Board of Game, that indicated that the board supported amended language to change "shall" back to "may" and removing the season requirement. She requested the sponsor to comment on the issue of "shall" versus "may" in the legislation. She wanted the committee to fully understand what had been originally proposed, as well as what was in the current version.

LARRY SEMMENS, STAFF, SENATOR PETER MICCICHE, stated that he had spoken to Mr. Spraker about the issue and that he had agreed that "shall" worked just as well as "may" since the season dates were amended. He concluded that Mr. Spraker had expressed no problem with leaving the statute as it currently was with the word "shall."

Senator Olson inquired how the bill would affect federal lands and subsistence hunters who might have children that were unable to attend classes as might be the case in rural areas. Senator Micciche responded that the bill did not affect normal hunting seasons and only applied to special youth hunts.

Senator Olson queried how someone in a remote place like Hollis or Klawock would be able to participate in special hunts outside of the normal hunting season. Senator Micciche deferred the question to Mr. Mulligan, but clarified that Senator Olson was asking how someone in remote areas would get the hunter education training.

Senator Olson replied that was what it came down to. He noted that his real question was regarding the kind of penalty that rural residents would incur if they were stopped by a game warden and did not have the requirements. He wondered how the prerequisites for the youth hunt would be made available to some of the remote places in Alaska like the Aleutians or Diomed Island. Mr. Mulligan believed that the hunter education courses were offered online, but added that he would double check with the department. He noted that the courses being offered online did not address the issue and added that he would look into the availability of offering hunter education courses in other ways besides in-person classes.

[9:30:40 AM](#)

Senator Olson inquired if the youth hunt program would be eligible on federal lands. Mr. Mulligan replied that ADFG did regulate wildlife on many federal lands. He thought that in order to enact a youth hunt on federal lands, ADFG would have to coordinate with the federal government to ascertain if they wanted the state doing that.

Senator Micciche related that examples of prior youth hunts would give a better illustration of how the system worked.

Mr. Mulligan stated that the Board of Game had instituted six youth hunts. He reported that there were two Black-tailed Deer hunts and that one hunt was on Kodiak Island while the other was in Southeast Alaska. The board had also instituted three youth-moose hunts and one youth-moose hunt out of Delta Junction in the region's youth management area. He related that with some of the hunts, such as the ones for the Sitka Black-tailed Deer, there was simply a harvest tag that a guardian or parent could get; in some cases, the hunts required drawings that the youth entered into in order to keep a tighter rein on the number of harvested animals. He added for the record that ADFG's director of the Division of Wildlife Conservation, Doug Vincent-Lang, had committed that he would actively look for additional youth hunts to bring forward to the board for review and possible approval. He related the importance of getting kids out hunting and noted that in some cases, the specialty youth hunt was the best way to provide that. He observed that with a specialty youth hunt, the department knew that the youth were not trying to compete with everyone else; furthermore, it provided the youth with an advantage and got them interested and hooked on Alaska's outdoors.

Vice-Chair Fairclough requested an explanation of the youth hunts in a situation where there was a shortage of food in a particular area; she inquired if a youth hunt in this case would take precedent over those who engaging in subsistence hunting. She believed that a former Board of Game member had raised the issue of allocation during testimony in the Senate Resources Committee; she thought that the testimony had indicated the notion that the word "shall" on line 5 of the bill would somehow mean that the youth hunts could take priority over other hunting. She acknowledged that she may be misunderstanding what was said, but requested an explanation.

Senator Micciche replied that the former board member who had testified had misunderstood the language to require increasing hunts as though it was something that would multiply over the years; however, nothing in the language of the bill specified that. He stated that the bill stated that annual seasons would be established in appropriate areas of the state for big game other than bison and muskox. He thought that it was a good question, but that the language meant that a youth hunt would take place only in the case of an abundance of a type of game and then only

in limited numbers. He stated that there had been very few youth hunts to-date and that when a program like Teens on Target applied for one, it involved a limited quantity of animals in a very limited area.

[9:34:45 AM](#)

Mr. Mulligan added that subsistence took priority in the allocation and that if the number of animals on a landscape diminished, subsistence would get priority; in this case, the youth hunts would be reduced as the abundance of animals dictated.

Co-Chair Meyer noted that the Board of Game had included a letter in members' packets (copy on file) that suggested that the minimum age for the youth hunt be 10 years old; he noted that the bill had the required age set at 8. He inquired why 8 years old was arrived at as a minimum. Senator Micciche replied that some believed that 8 was the right age, but that Mr. Spraker thought that 8 was a little young for most kids to fully grasp the level of responsibility needed. He stated that the age requirement was really a personal preference and that the sponsors had wanted to make sure that families were able to take their young kids hunting; he thought that the age at which a child would be responsible enough could vary and that it represented a decision that a family would have to make.

[9:36:18 AM](#)

Co-Chair Meyer related that the committee tended to focus on the financial side of bills and that the legislation had a zero fiscal note. He thought that the bill represented good legislation.

Vice-Chair Fairclough MOVED to REPORT CSSB 77(RES) out of committee with individual recommendations and the accompanying fiscal note. There being NO OBJECTION, it was so ordered.

CSSB 77(RES) was REPORTED out of committee with a "do pass" recommendation and with a previously published zero fiscal note: FN1(DFG).

[9:37:06 AM](#)

AT EASE

9:38:39 AM

RECONVENED

#hb231

HOUSE BILL NO. 231

"An Act eliminating the Department of Revenue's duty to register cattle brands."

9:39:18 AM

REPRESENTATIVE MIKE CHENAULT, presented HB 231. He stated that the bill was fairly basic and was a piece of repealing legislation. He reported that bill would remove AS 44.25.0203, which required the Department of Revenue (DOR) to register cattle brands. He referenced a report in members' packets from Legislative Research Services (copy on file) and reported that prior to statehood, all duties associated with the registration of cattle brands had resided in the old territorial Department of Finance; those duties had been since assumed by DOR. He noted that the report from legislative research indicated that the duties of recording cattle brands were delegated through statute to the Division of Agriculture. He stated that by removing the statute, the bill helped clarify that cattle branding resided within the Division of Agriculture and not DOR. He added that DOR had not been registering brands for a number of years and thought that the legislation was a way of cleaning up the state's statutes. He noted that the statute was not currently needed or used in Alaska and that it was the legislators' responsibilities to eliminate statutes as new ones were added.

Co-Chair Meyer agreed that it was nice to take some statutes off the books before new ones were added; he thought that the state was a little behind in doing this, but that the legislation represented a good start.

9:43:13 AM

Vice-Chair Fairclough referenced the report by Legislative Research Services and stated that it appeared as though \$42 was collected in 2013 through fees; she guessed that it cost more than that amount to print the book of cattle brand registrants. She wondered if the fees should cover the cost of printing the book.

TOM WRIGHT, STAFF, REPRESENTATIVE MIKE CHENAULT, responded that the sponsors had looked at that aspect. He noted that registering cattle brands had an initial cost of \$2 with an additional cost of \$1 per year after that. He reported that the book had a cost of a little over \$2 per copy to publish and that in the end, it was kind of a losing proposition. He acknowledged that the money was not a significant amount and that one specific group of cattle owners would like to see the fees go up; however, the bill was simply a repealer and that issue should be addressed through the Division of Agriculture.

Vice-Chair Fairclough wondered if it was required that the book of cattle brand registrations be published in a printed format. She inquired if the book could be digitized so that the state was not spending money in the negative for something that although was valuable to a limited group of people, was not being paid for by fees. Representative Chenault responded that it could be a consideration.

Senator Bishop inquired if there had ever been an issue with cattle rustling in Alaska. Representative Chenault replied that to his knowledge, there had never been an issue in the state with cattle rustling.

[9:46:32 AM](#)

Senator Olson noted that he came from an area that had a fair amount of marking of animals, particularly with Reindeer and inquired if the bill would affect any other species besides cattle. Mr. Wright responded that it did not and added that there were brands in the book that coincided with reindeer branding; however, all the bill did was remove the duty to register cattle brands from DOR statutes. If the bill passed, the Division of Agriculture would still retain authority and jurisdiction over brands on any animal.

Senator Olson further inquired if there would be any change to the Division of Agriculture's authority regarding the branding of animals. Mr. Wright replied in the negative.

[9:47:30 AM](#)

Co-Chair Meyer observed that the bill had a zero fiscal note.

Co-Chair Meyer CLOSED public testimony.

Co-Chair Meyer discussed the committee's upcoming agenda.

HB 231 was HEARD and HELD in committee for further consideration.

9:49:10 AM

AT EASE

9:49:18 AM

RECONVENED

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ADJOURNMENT

9:49:42 AM

The meeting was adjourned at 9:49 a.m.