

**ALASKA STATE LEGISLATURE
HOUSE RESOURCES STANDING COMMITTEE**

March 22, 2017

1:03 p.m.

MEMBERS PRESENT

Representative Andy Josephson, Co-Chair
Representative Geran Tarr, Co-Chair
Representative Dean Westlake, Vice Chair
Representative Harriet Drummond
Representative Justin Parish
Representative Chris Birch
Representative DeLena Johnson
Representative George Rauscher

MEMBERS ABSENT

Representative David Talerico
Representative Mike Chenault (alternate)
Representative Chris Tuck (alternate)

COMMITTEE CALENDAR

HOUSE BILL NO. 134

"An Act relating to the composition of the Board of Game."

- HEARD & HELD

HOUSE BILL NO. 105

"An Act establishing the Gordon Haber Denali Wolf Special Management Area."

- HEARING CANCELED; BILL REPORTED OUT OF COMMITTEE 3/20/17

HOUSE BILL NO. 172

"An Act relating to the regulation and production of industrial hemp; relating to industrial hemp pilot programs; providing that industrial hemp is not included in the definition of 'marijuana'; and clarifying that adding industrial hemp to food does not create an adulterated food product."

- SCHEDULED BUT NOT HEARD

SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 46

"An Act relating to the state and municipal procurement preferences for agricultural products harvested in the state and

fisheries products harvested or processed in the state; relating to merchandise sold and certain fees charged or collected by the Department of Natural Resources; and providing for an effective date."

- SCHEDULED BUT NOT HEARD

PREVIOUS COMMITTEE ACTION

BILL: HB 134

SHORT TITLE: BOARD OF GAME MEMBERSHIP

SPONSOR(S): REPRESENTATIVE(S) JOSEPHSON

02/20/17	(H)	READ THE FIRST TIME - REFERRALS
02/20/17	(H)	RES
03/20/17	(H)	RES AT 1:00 PM BARNES 124
03/20/17	(H)	Heard & Held
03/20/17	(H)	MINUTE(RES)
03/22/17	(H)	RES AT 1:00 PM BARNES 124

WITNESS REGISTER

VIC VAN BALLEMBERGHE

Anchorage, Alaska

POSITION STATEMENT: Testified in support of HB 134.

LYNN MITCHELL, Spokesperson

Alaska Safe Trails

Palmer, Alaska

POSITION STATEMENT: Testified in support of HB 134.

EDWARD SCHMITT, President

Alaska Wildlife Alliance (AWA)

Soldotna, Alaska

POSITION STATEMENT: Testified in support of HB 134.

RON SOMERVILLE, Spokesperson

Alaska Outdoor Council

Juneau, Alaska

POSITION STATEMENT: Testified in opposition to HB 134.

MARK LUTRELL

Seward, Alaska

POSITION STATEMENT: Testified in support of HB 134.

KNEELAND TAYLOR

Anchorage, Alaska

POSITION STATEMENT: Testified in support of HB 134.

ROBERT ARCHIBALD
Homer, Alaska

POSITION STATEMENT: Testified in support of HB 134.

JESSE ROSS
Juneau, Alaska

POSITION STATEMENT: Testified in opposition to HB 134.

KEN GREEN
Cooper Landing, Alaska

POSITION STATEMENT: Testified in support of HB 134.

NANCY HILLSTRAND, Spokesperson
Coal Point Trading Company
Kachemak, Alaska

POSITION STATEMENT: Testified in support of HB 134.

ROBERTA HIGHLAND, Spokesperson
Kachemak Bay Conservation Society
Homer, Alaska

POSITION STATEMENT: Testified in support of HB 134.

AL BARRETTE
Fairbanks, Alaska

POSITION STATEMENT: Testified in opposition to HB 134.

JAMES KOWALSKY, Spokesperson
Alaskans for Wildlife
Fairbanks, Alaska

POSITION STATEMENT: Testified in support of HB 134.

NANCY BALE
Anchorage, Alaska

POSITION STATEMENT: Testified in support of HB 134.

SYLVIA PANZARELLA
Anchorage, Alaska

POSITION STATEMENT: Testified in support of HB 134.

CONNIE BRANDEL, Staff and Board Member
Alaska Wildlife Alliance (AWA)
No address provided

POSITION STATEMENT: Testified in support of HB 134.

NANCY KUHN

Fairbanks, Alaska

POSITION STATEMENT: Testified in support of HB 134.

ACTION NARRATIVE

[1:03:26 PM](#)

CO-CHAIR GERAN TARR called the House Resources Standing Committee meeting to order at 1:03 p.m. Representatives Tarr, Josephson, Parish, Birch, Johnson, Rauscher, Westlake, and Drummond were present at the call to order.

HB 134-BOARD OF GAME MEMBERSHIP

[1:04:12 PM](#)

CO-CHAIR TARR announced that the only order of business would be HOUSE BILL NO. 134 "An Act relating to the composition of the Board of Game."

CO-CHAIR JOSEPHSON, prime sponsor of HB 134, reminded members that two days ago he introduced the bill and had begun taking questions from the committee members.

[1:05:07 PM](#)

REPRESENTATIVE WESTLAKE stated that the Board of Game (BOG) is comprised of people looking at hunting regulations and as such is a consumptive use board. He asked why putting non-consumptive users on the board would be wanted.

CO-CHAIR JOSEPHSON allowed that this is a fair question and said the committee will be hearing testimony from an individual who was on the Board of Game over a dozen years ago. He said he believes this person will testify that the methods and means practices that have been allowed by the contemporary board are practices that previous boards would have found unacceptable in terms of the [North American Model of Wildlife Conservation] practices, fair chase, and fair hunt. While the current Board of Game is not monolithic and has some diversity of opinion, there is no way for the occasional non-consumptive voice to be heard. He said he would entertain a term other than non-consumptive if an acceptable one could be found, because probably neither the non-consumptive seat nor tourism seat would oppose traditional hunts in terms of, for example, the yield of caribou north of the Brooks Range. The role of the seats is not designed to be anti-hunting, but rather a role that is sensitive

to what some believe are wildlife practices aimed only at abundance, not diversity of species and not the economics of the tourism industry. In that respect, the non-consumptive seat would frequently vote in the affirmative on traditional hunts that are open and voice concerns only when there are issues like the Denali wolf issue heard by the committee earlier this week, as well as comparable issues where there are sensitivities.

[1:08:27 PM](#)

REPRESENTATIVE PARISH recalled that during the bill's previous hearing there was repeated assertion that the [proposed] non-consumptive seat or the tourism seat would be opposed to hunting. He said he takes issue with that because he hunts and fishes and has spent years in tourism. Conceivably, someone who is also a subsistence hunter, or a guide for non-residents, or a wildlife photographer like Representative Rauscher could occupy the tourism seat. There is not a definite implication from someone being primarily a non-consumptive user to the person being opposed to any form of hunting.

CO-CHAIR JOSEPHSON commented that if this were to become law and an occupant of the seats spoke ill of the demise of any fur-bearing animal, he would find it odd because that is certainly not what this is about. This is about sensitivity to situations where interests clash and there are places where there aren't those sensitivities.

[1:11:29 PM](#)

REPRESENTATIVE BIRCH said he doesn't think this is a good idea. He offered his understanding that currently there are no designated seats on the Board of Game or the Board of Fisheries. He inquired whether this would start going down the road to suddenly designating board seats.

CO-CHAIR JOSEPHSON replied that anything is possible and he cannot speak to what other bills could be filed. There are over 100 boards and commissions, he noted, and more typical is that there is a designation rather than not. His frustration has been with the lack of representation of visitors to Alaska and, more importantly, of the hundreds of thousands of Alaskans who have thrown up their hands and don't attend Board of Game meetings because they've basically said that this isn't a model that represents them and allows them to be heard. The enabling act creating the Board of Fisheries and Board of Game says that the appointment should be made with a view of providing

diversity of interest and points of view in the membership. While there are points of view, there isn't sufficient diversity on the board. Of concern to him is that when a person finds a practice offensive, the person is reluctant to say so given the climate and culture of the Board of Game and the person feeling marginalized. He said, "I also can't really see the harm that would be caused by having the vast majority of the board members continue to ostensibly support the [methods and] means ... that they wish to."

1:14:34 PM

REPRESENTATIVE BIRCH said harm would come from this because there is the potential of wedging somebody into the Board of Game who looks at viewing wildlife as a use. A non-consumptive use like wildlife viewing is not a use, he stated. Anybody can walk down the street just about anywhere and view wildlife. He said his understanding is that the Board of Game relates primarily to the use, and that would be the consumptive use of that resource, in a manner that preserves that resource for the good of the public. It doesn't limit viewing and therefore he doesn't see this as being consistent with the Board of Game's marching orders. He requested the sponsor to respond.

CO-CHAIR JOSEPHSON allowed that many people share Representative Birch's view. But, he continued, many people do not share that view and think that the viewing of wildlife is a use, that it brings the state a tremendous amount of money, and that there is a value there. While Representative Birch's position is well founded in some respects, it illustrates the need for this seat or seats, he argued. Seven members of the board see it the same way as described by Representative Birch; but, with a growing population and the increased intimate connection between people and nature resulting from that population growth, there are people who feel absolutely marginalized. The Board of Game has much expertise, but many Alaskans are horrified by some of the things that the board has approved. For example, the use of artificial lights to wake up bears in their dens and kill them is a relatively new practice designed to facilitate the hunt, but he thinks that most Alaskans find it outrageous and there is no one on the board to say so.

REPRESENTATIVE BIRCH said he has used artificial light on the Chatanika River to spear whitefish in the dark. Whether it is light for spearfishing or whatever, he said, he sees the Board of Game more focused and directed on the responsible use and application of statute in a manner that preserves and protects

the state's wildlife resources in perpetuity. While many people would like to fence off the whole state and preserve it for tourists, it must be ensured that the people living in the state are accommodated and still have wildlife viewing opportunities.

[1:18:31 PM](#)

REPRESENTATIVE RAUSCHER inquired as to how many seats the bill would create.

CO-CHAIR JOSEPHSON replied it would create two seats. Thus, the Board of Game would have five seats representing hunters and trappers, one seat designated for representing the tourism industry, and one seat designated for a non-consumptive use such as tourism, wildlife viewing, or scientific study.

REPRESENTATIVE RAUSCHER stated that the bill would change the demographics of qualifications for 33.5 percent of the board, which would be a big influence, not just a voice. He related that as a photographer he used to go to Homer where a lady fed the eagles and he would photograph them. This feeding of the eagles created a big hullabaloo and after a while this lady became the only person left in the state that could do that. Tourists from all over the world began coming to see and photograph these eagles. Attracted by the hundreds to this small feeding area, the eagles would fight over the food and injure each other. He said while photographers captured excellent shots of the birds killing each other, this was misguided because of tourism, photography, and other reasons that were wrong. He opined that when tourism is thought about in terms of the money that it will bring into the state, it is being done for all the wrong reasons. The animals are being used and are not being helped, and the bill would start this all over again. The bill would not utilize the correct reason for the board. The board was put there because it would like to see something continue in a safe way and that will provide for people and for future Alaskans; therefore, the bill is headed in the wrong direction.

CO-CHAIR JOSEPHSON responded that he doesn't believe that the Board of Game wants to change Alaska culture such that there is nothing left to consume. However, he continued, he has real concern about the board's treatment of prey populations, which in the last dozen years are a sea change from what used to be allowed. Practices allowed now would have been thought beyond the pale just 10 or 15 years ago.

[1:24:34 PM](#)

REPRESENTATIVE DRUMMOND offered her belief that viewing animals in their environment is an appropriate use. She concurred with the sponsor that the Board of Game does need to consider viewing as a use even though it doesn't consume the animals. She does not see where two out of seven people will be a presiding vote on almost any issue, it just introduces the concept to the conversation and will make for much more spirited debate. She surmised that all committee members have had wildlife on their property and said that while she doesn't want tourists viewing wildlife in her backyard, she does want tourists to be able to see the things that Alaskans have the privilege of seeing every day. She expressed her support for the bill.

CO-CHAIR JOSEPHSON noted that under the bill it would be two voices out of seven. Often those two voices would vote for a prescribed hunt, he said, and therefore it would not necessarily be a series of five votes to two.

[1:26:54 PM](#)

CO-CHAIR TARR noted that these statutes were written at a time much different than the more recent boards that have come into play. She said she has long thought that both statutes need to be updated with respect to what Representative Birch is saying because, for example, the seats on the Board of Fisheries are not designated for commercial or sport or subsistence, yet people will talk about it as if there is a de facto 3, 3, and 1. She inquired whether people talk about the Board of Game in this same way as far as how many guides, resident hunters, and so forth should be on the board.

CO-CHAIR JOSEPHSON replied that this is a good point because, relative to the Board of Fisheries, this is going on in the [capitol] building anyway. Relative to the Board of Game, it is known as was evidenced in last year's confirmation hearing, that there is a real battle between groups that want to prioritize above all other things the right for residents to hunt visa vie the right for big game guides to practice their trade the way they might want to. There are people who look at the seven members and say, "Well, four of them or five of them see this issue this way and so we support them and the other two we don't support." So, this is going on regardless of whether the statute calls for it.

[1:28:53 PM](#)

The committee took a brief at-ease while Co-Chair Tarr passed the gavel to Co-Chair Josephson.

[1:29:22 PM](#)

CO-CHAIR JOSEPHSON requested Mr. Vic Van Ballenberghe to provide his invited testimony.

VIC VAN BALLEMBERGHE stated he has lived in Alaska since 1974 and has worked as a biologist for the Alaska Department of Fish and Game (ADF&G) and the research branch of the U.S. Forest Service. He served on the Board of Game three times, being first appointed by Governor Sheffield and two times by Governor Knowles. Over the years he has attended numerous Board of Game meetings when he wasn't on the board and has testified before the board on many issues.

MR. VAN BALLEMBERGHE said that regarding HB 134, the issue at hand is diversity of Board of Game members. Should they only represent the hunting and trapping interests or should they have broader emphasis with some members representing non-consumptive interests who experience wildlife through photography or viewing or hearing but who don't kill the wildlife? In recent years governors have appointed, and legislators have confirmed, only those representing consumptive users - hunters and trappers. Historically, the idea of a more diverse Board of Game goes all the way back to the Hammond Administration. Governor Jay Hammond appointed Jay Meachum to the board in the mid-1970's to represent non-consumptive users. At that time there was a national effort to value non-consumptive use of wildlife by people who wanted to photograph or experience wildlife without hunting or trapping. Surveys done in the 1970's and onward have illustrated the importance of non-consumptive uses.

MR. VAN BALLEMBERGHE, regarding committee discussion at a previous meeting about how many people buy hunting licenses compared to how many don't, allowed there are various figures but said whether it is 80 percent or 60 percent, clearly most people in Alaska do not buy hunting or trapping licenses and do not personally hunt or trap. Many of those people are interested in seeing wildlife and having the Board of Game promulgate regulations that can ensure or enhance that. Governors Cowper and Hickel continued Governor Hammond's tradition of appointing someone to the board to represent non-hunting interests. Mr. Van Ballenberghe offered his understanding that Juneau resident Joel Bennett served for a

long time, about 13 years. Governor Tony Knowles tried to appoint quite a few members to represent non-consumptive users, but during that time the legislature adopted a much more aggressive approach toward confirming Board of Game members than it ever had in the past. It had a litmus test for Board of Game appointees as to whether they supported wolf control and if they didn't their chances of confirmation were very slim. During Governor Knowles' final year the legislature failed to confirm several of his Board of Game appointments because it feared that the appointees were not totally in favor of predator control. At one point the board had five vacant seats because the legislature did not vote on those seats and a no vote is the same as not confirming an appointee. When Governor Frank Murkowski was elected in 2002 there was a real change in that no longer could a governor be willing to appoint members to the board who were representing non-consumptive uses. Governors Sarah Palin and Sean Parnell followed suit. Even last year a Board of Game appointee was not confirmed by the legislature because he admitted to having sympathies for non-consumptive users; he was deemed unfit by the legislature to serve on the board. Currently - through the governor who appoints and the legislature who confirms - not a single member of the seven-member Board of Game represents non-consumptive uses. From the committee's earlier discussion, he observed that there is still disagreement and strong feelings that diversity on the board is a valuable thing. However, he continued, many people in the state do think it is a valuable thing and would like to see a Board of Game on which there is some representation for their interest rather than no representation and a board that has been captured by the hunting and trapping special interests. But, if it is agreed that representing non-consumptive interests has a long history and is important, the question is whether it is now important to mandate that by statute.

[1:35:58 PM](#)

MR. VAN BALLEMBERGHE stated that the Board of Game should remain focused on hunting and trapping. But, he added, the majority of Alaskans who don't hunt or trap deserve representation too. In his view, hunters and trappers should not have exclusive representation on the board; wildlife should be managed for the common good, not just the special interest good of consumptive users. Evidence of a Board of Game process that went awry and that excluded non-consumptive interests, he continued, is the "Denali [wolf] buffer issue," an issue the committee is familiar with through its consideration of HB 105. In 1992 the Board of Game established a buffer to protect wolves that wandered

outside Denali National Park and Preserve ("Denali Park") that got hunted and trapped and that affected the ability to view wolves in the park. In 2000 and 2002 the board further enhanced boundaries of those buffers. In 2010 the National Park Service (NPS) came forward with a proposal that would solve some of the problems that were still occurring given the buffers existing at that time. The NPS had a very firm, large, and convincing data set to make its arguments, plus there were other proposals by conservation groups at that time. A couple hundred people contacted the board through oral or written testimony that supported these proposals. Besides not responding to all of that, the Board of Game proceeded to rescind the existing buffers, mystifying those people who had worked on this issue for years and who never thought it would come to that. In 2017 this issue came up again and again. Despite a National Park Service compromise proposal that would have left the hunting and trapping seasons open for half the year and closed them the other half, the Board of Game voted seven to zero to not adopt that or any of the other proposals. In this action, the Board of Game protected the opportunity of about five hunters and trappers to kill wolves and greatly reduce the opportunity of hundreds of thousands of park visitors to experience wolves while they contributed hundreds of thousands of dollars to the Alaska economy. Alaska's wildlife offers great potential for residents and visitors alike to experience nature on a grand scale, but the present board structure limits this opportunity. He urged the committee to support HB 134 because it would help rectify this issue.

MR. VAN BALLEMBERGHE addressed the interaction among committee members regarding whether a non-consumptive user would be anti-hunting and therefore would poison the Board of Game's activities. Some committee members, he said, seem to assume that a person representing non-consumptive interests on the board would be anti-hunting. However, going back to the Hammond Administration, none of the previous nominees appointed to represent non-consumptive users were anti-hunting. Some did not hunt, but they did not oppose hunting. Those who were confirmed voted dozens or hundreds of times on proposals benefitting hunting and trapping. His own case demonstrates that Board of Game appointees can wear two hats. He started hunting when he was 10 years old 63 years ago. Over those years he has held hunting licenses somewhere and hunted something in six different states. He has never missed a year of hunting something somewhere. While he is now too old to pack out a moose, he can pack out three pheasants just fine and that is the bag limit in South Dakota where he hunted last November. He said as a Board

of Game member, he supported hundreds of proposals benefitting hunters and trappers while also supporting proposals benefitting non-consumptive users. He stated that if HB 134 resulted in appointees who are anti-hunting and generally oppose consumptive uses of wildlife, then he would oppose the bill. In any event, he said, he has faith that governors would not appoint, and legislators would not confirm, candidates who oppose hunting and trapping. There is no reason to believe that Board of Game members can't wear two hats, he reiterated.

[1:42:01 PM](#)

CO-CHAIR JOSEPHSON recalled his own testimony about there being a change in what is viewed as an acceptable practice over the last 12-15 years. He requested Mr. Van Ballenberghe to state his agreement or disagreement with this statement and to provide some examples that are of concern to him.

MR. VAN BALLEMBERGHE replied that Co-Chair Josephson is referring to some practices that came about within the last several years related to reducing bear and wolf populations to try to increase moose and caribou populations. One of those practices was the gassing of wolf pups in their dens. Who would have ever thought 20 years ago that this would be seen, but suddenly it became lawful. Another practice is the whole program of aerial shooting since the Murkowski Administration. About every year, over 100 private pilots have been permitted to shoot wolves from aircraft in the wolf control programs. That followed a couple of decades where the state severely limited aerial shooting by private pilots. At one point there was a land-and-shoot program where the plane had to be landed and the hunter had to get out to shoot rather than shooting directly from the air, but now wolves can be shot from the air. Again, this was controversial and again it was adopted. Also, he questioned, who would have ever thought 20 years ago that it would be legal as a predator control method to trap bears or shoot cubs or shoot sows with cubs or hunt and shoot bears the same day of being airborne? Those are all practices that were outlawed decades ago but have come back in recent years because of this overriding desire to reduce bears and wolves in order to benefit prey populations. There are other practices, he said, but the aforementioned list is enough.

[1:45:15 PM](#)

CO-CHAIR JOSEPHSON requested Ms. Lynn Mitchell to provide her invited testimony. He asked Ms. Mitchell to speak to the

research she did and the spreadsheet she prepared [entitled "Summary of Non-consumptive Proposals w/ Final Board Actions" and provided in the committee packet].

LYNN MITCHELL, Spokesperson, Alaska Safe Trails, explained that she prepared the spreadsheet in anticipation of filing a lawsuit against the State of Alaska. Per the constitution, wildlife must be managed for the benefit of all, she said, but under the current Board of Game it is very evident that wildlife is not managed for the benefit of all. In anticipation of that lawsuit, she was asked by the attorney to research 19 years of Board of Game meetings, which she did, and it is court ready. She identified non-consumptive user proposals or proposals that were non-consumptive in nature and included them in this spreadsheet that covers all the board's meetings from March 1998 through 2016. However, there were many proposals put forwarded by hunters who wanted areas closed because terrain and habitat were being destroyed and animals were moving out of these areas. She did not include those proposals because she did not identify them as non-consumptive, even though it could be said that that was non-consumptive bent. She relayed that all her findings are summarized in this spreadsheet, and she has all the information printed and attached to each meeting summary, which she has stored in her possession. When she was uncertain whether the user was or was not consumptive, she researched the person who submitted the proposal. She remarked that because she deals with the Internal Revenue Service (IRS), she knows how to be prepared for court cases.

MS. MITCHELL noted that she also pulled some population statistics, with 2013 being the most recent population statistic that she could find. In 2013 the number of Alaska residents over the age of 18 was 546,215 and in 2015 the number of hunting and trapping licenses that she came up with was 97,942. She qualified that there is probably duplication within the statistics for hunting and trapping licenses, because people might buy one or more licenses and they are counted twice; therefore, she is being extremely generous in that she is using an outdated population figure that is probably low and statistics for hunting and trapping licenses from 2015 with probably some duplication. Dividing the license figure by the population figure comes up with 18 percent. These statistics highlight the question that if the constitution mandates that wildlife must be managed for the benefit of all, then who is really benefiting?

MS. MITCHELL recalled [Representative Rauscher's] statement that tourism shouldn't be considered and suggested that perhaps the many out-of-state hunters coming to Alaska shouldn't be considered either and Alaska's wildlife shouldn't be being managed for their benefit. If tourists aren't going to be considered, then her question to the committee is: Why are out-of-state hunters being considered?

[1:51:35 PM](#)

CO-CHAIR JOSEPHSON, regarding Ms. Mitchell's research for the years 1998-2016, inquired as to the percentage of non-consumptive proposals that were passed either in original form or as amended.

MS. MITCHELL answered 5 percent.

[1:52:02 PM](#)

CO-CHAIR JOSEPHSON requested Ms. Mitchell to address the other spreadsheet that she referenced.

MS. MITCHELL replied that the other spreadsheet was for her own information and in it she established categories based on what these proposals addressed. She explained that this was "a little more squishy" because so many of these proposals could fall into a couple of different categories. She did her best to come up with some idea of what the proposals related to. For example, under the category of buffer zone she looked only at the Denali Park buffer zone and she believes there were more proposals that may not have hit the meeting summaries relating to that, but she strictly went from meeting summaries. The proposals under the category of trapping were primarily proposals having to do with restricting trapping in populated areas. Another category she included was wildlife or habitat preservation. Some of these proposals were from lodges near refuges that wanted restrictions on hunting activities in those areas so the tourists they were catering to would be able to see the wildlife that they were coming to view. Some proposals addressed the bigger issue of public safety.

[1:54:29 PM](#)

[Although not stated on the audio recording, public testimony was opened.]

[1:55:00 PM](#)

EDWARD SCHMITT, President, Alaska Wildlife Alliance (AWA), testified that the state designed the board process to allow citizens to give input and guidance to their governing bodies. The board process functions best when the opinions of all user groups are heard and carry some weight. He opined that currently the Board of Game does not represent all user groups in Alaska and is distinctly non-representative of Alaskans as the majority of Alaskans do not hunt or trap. The Board of Game is currently composed of hunters and trappers exclusively. He proffered that the state and its citizens would be much better served by allowing the voices of non-consumptive users to be heard. Doing this would allow for more balanced discussion and better decision making about the state's iconic wildlife. Democratic institutions work best when well-informed and well-intentioned people gather to discuss issues facing the citizens. Presenting multiple points of view often leads to better information and informs better decision-making. Mr. Schmitt said changing the composition of the Board of Game would be a great step forward in assuring that Alaska's resources are best managed for the benefit of all Alaskans.

[1:56:41 PM](#)

REPRESENTATIVE BIRCH requested clarification on those who have been invited to testify and public testimony.

CO-CHAIR JOSEPHSON clarified that Mr. Schmitt's statement was public testimony, and that Mr. Van Ballenberghe and Ms. Mitchell were invited to testify. For the record, he officially opened public testimony, saying he meant to do so prior to Mr. Schmitt. He stated that witnesses would have two minutes to testify.

[1:58:12 PM](#)

MR. SOMERVILLE, Spokesperson, Alaska Outdoor Council, stated he is a lifelong Alaskan, served five years on the Board of Game, and worked twenty-four years for the Alaska Department of Fish and Game (ADF&G). He recalled that many years ago he and Senator [Joe] Josephson had this same discussion while he was working for ADF&G. Things have changed and this was not reflected in the earlier testimony, he maintained. Looking at the constitution is important and even though it says that the state's resources must be open to common use, Article 8, Section 2, states that the legislature shall provide for the utilization, development, and conservation of all, natural resources belonging to the state, including land and water, for

the maximum benefit of its people, not non-residents. While there are people who take non-residents hunting or fishing, it needs to be kept in mind that this benefits Alaskans.

MR. SOMERVILLE addressed the testimony about things that have happened in the past and said the legislature would have to repeal the intensive management model that it passed, which directs that subsistence is the highest priority use of fish and wildlife in the state. The legislature instructed the Board of Game to develop methods and means by which it would increase the subsistence use of resources. There are seven members on the Board of Game, and it angers him when someone says that non-consumptive users aren't against hunting, because hunters aren't necessarily opposed to viewing. For example, he said he enjoys watching wildlife, is a photographer, and appreciates the value of tourism. While at ADF&G he tried to get the tourism industry to work towards some system where it helped pay its way towards the process of managing fish and game, but both times the industry unanimously rejected it.

MR. SOMERVILLE said the Board of Game is responsible for balancing all these demands, but that doesn't mean they all must be balanced in the same area. The federal government controls 63.8 percent of the 373 million acres in Alaska. Federal overreach is quickly diminishing the state's ability to manage wildlife on 63 percent of the state. In addition, there are also state parks and refuges amounting to 3.2 million acres. So, a significant amount of the state is set aside exclusively for viewing, but there are no areas that are exclusively for hunting. Very few areas are open to hunting year-round except for small game.

MR. SOMERVILLE said he was on the Board of Game when the issue of the Stampede wolves came about. He said the issue disgusts him more than anything else, because when he [worked for ADF&G] and served on the "D2 Task Force," he spent four years trying to get the National Park Service (NPS) to not have these straight lines running across millions of acres as this would create conflicts due to state management on one side and federal management on the other. The NPS said there needed to be buffer zones, so the preserves were established specifically to provide the buffers to the national park systems that were in existence when the Alaska National Interest Lands Conservation Act (ANILCA) was passed. That is important because now [the NPS] wants more buffer areas. The reason the Stampede area has become such a controversy is because the NPS has done nothing to cooperate with the state, yet the NPS wants the state to

cooperate with it. The NPS will not allow the state to have access into some of the areas in the preserves. He indicated that the NPS will not allow people to exercise their subsistence rights, granted by the federal legislation, in some of the preserves and park areas. Mr. Somerville questioned why the state always must give in and provide [the buffer areas]. He opined that what happened with the Board of Game this time was a case of "gol-dangit we're just not going to continue doing this."

MR. SOMERVILLE stated that statistics can be deceptive, one problem being that people under age 16 are not required to have hunting licenses. How many families are dependent upon that one hunter to kill moose and caribou? Many people in rural areas refuse to buy a hunting license, so this statistic is being used against them.

MR. SOMERVILLE allowed that the controversies mentioned by Mr. Van Ballenberghe were bad. He said he was on the Board of Game [at the time] and wasn't too happy himself with some of them, but the point is that they were selectively applied and not applied statewide. For example, he was kind of opposed to the concept of trapping bears because he thought it would cause adverse reaction [to Alaska] from the outside public, but the board went ahead and tried it. Bears take a significant number of moose calves, more than wolves in many cases, so the board was trying to reduce the black bear population particularly. However, brown bears also take calves. [An ADF&G] research project in Game Management Unit 13 showed that brown/grizzly bears, not wolves, were taking most of the caribou calves. To abide by the intensive management law passed by the legislature, [game managers] must try to affect in some way the populations of brown bears and black bears.

[2:06:31 PM](#)

CO-CHAIR JOSEPHSON interpreted Mr. Somerville's statement that intensive game management is tied to subsistence as meaning that some intensive game management (IGM) is needed to provide and meet subsistence goals.

MR. SOMERVILLE replied yes.

CO-CHAIR JOSEPHSON addressed Mr. Somerville's statement about 63 percent of the state being federal. He noted that about one-third [of Denali National Park and Preserve] is park, while the rest is preserve in which sport hunting and subsistence hunting

take place. He interpreted Mr. Somerville's testimony as saying that hunting wasn't taking place in preserves.

MR. SOMERVILLE clarified he didn't mean there was no hunting in the preserve, but rather that the state's management authorities were significantly reduced in the preserve. The National Park Service recently passed regulations restricting some of these intensive management practices that the state has been using outside of the preserve. Because these practices cannot be used within the preserve, the NPS is restricting the state's ability to manage animals inside of [the preserve], which would be of benefit to subsistence users.

CO-CHAIR JOSEPHSON related that yesterday Congress passed a law, HJR 69, which now only needs the president's signature. Under this law, he said, the federal involvement in wildlife on federal lands would be greatly diminished. He inquired whether that would be cause for increased support for a non-consumptive seat [on the Board of Game].

MR. SOMERVILLE answered that this resolution would only apply to the U.S. Fish and Wildlife Service; it would not affect the preserves at all. Regarding what is being contemplated, he said more pressure would be put on the state economically as well as socially for issues like fish and wildlife management. The seven members of the Board of Game must now more intensively manage state and private lands to provide for the mandates that the legislature passed to provide for subsistence uses. He opined that this is very disrespectful to the rural people of Alaska. How many people in Barrow or other rural communities will be willing to give up a seat that they've had on the board for a long time? Almost all the board appointments have tried to provide for a geographic balance, not a balance of philosophy. Because of that, Anchorage, Fairbanks, and Southeast get a majority of the seats, and the others are reserved for rural parts of the state. He asked, "Who wants to give up these two seats on the seven-member board just to provide for non-consumptive use advocacy?"

[2:10:20 PM](#)

CO-CHAIR TARR offered her understanding that administration of intensive game management practices costs hundreds of thousands of dollars and suggested that they may need rethinking as to whether the intended benefit is being achieved. Some people are saying that despite the money spent there has not been a rise in [prey] populations, which could be due to other factors that are

influencing [the prey populations]. She asked Mr. Somerville to comment in this regard given his comments that legislation was passed requiring these intensive management practices.

MR. SOMERVILLE replied that there is no perfect game management program and disagreed that intensive management practices haven't worked. Because of these programs, moose populations are up significantly in Game Management Unit 13, as well as in units 19 and 20, although in units 19 and 20 that is partially from good winters. Other areas of the state have benefitted to some degree, although Unit 16 hasn't been as good as the department would like. As to whether the cost to benefit is there, he said a lot of state programs probably wouldn't shine up too well when the cost to benefit is looked at. They have been beneficial because once equilibrium has been established between predators and prey it can stay that way for a long time. The time when it is bad is when the predator-prey relationship drops down to a predator pit situation where the predators keep the ungulate population so low that it doesn't have any chance of recovering. Once out of that, like in Unit 20, his criticism is that hunters aren't taking enough moose and so the moose are impacting that range.

[2:12:43 PM](#)

REPRESENTATIVE WESTLAKE recalled the testimony that there was a non-consumptive seat from Governor Hammond onward. However, he remarked, it seems to be a democratic process as to whether the seat is consumptive or non-consumptive. It therefore puzzles him that the talk now is about creating seats rather than letting the democratic rule of law make that happen. He asked whether he is missing something.

MR. SOMERVILLE responded that he doesn't think Representative Westlake is missing something. The problem, in his opinion, is that the designation of two seats as non-consumptive will increase significantly the controversy on the board. That may be good for the people who don't want to see predator control or they want to see more areas established for viewing. If that is the intent, his recommendation is to create viewing areas exclusively or for certain parts of the year. A state park was created right outside of Anchorage and people immediately advocated for closing it to hunting. He was the regional supervisor [at ADF&G] at the time and ADF&G negotiated with the parks people and it was found that the major problem was with after Labor Day, so it was established to not have major hunting until after Labor Day. To this day that park is still open to

hunting and open to some controversial trapping. Consideration should be given to all the things that the legislature is asking these seven board members to do and putting two non-consumptive people there and creating controversy would be counter-productive.

REPRESENTATIVE RAUSCHER requested Mr. Somerville submit a written statement if he has any other things he would like to tell the committee.

[2:15:54 PM](#)

MARK LUTRELL thanked the committee for considering HB 134 and said that having some non-consumptive users on the Board of Game would help to solve the board's present problem of unbalanced representation. Currently the board is composed exclusively of hunters, guides, and trappers; none of them shoot with a camera. Even the name of the board is a clue as to which way the members are going to go. Renaming it the Board of Wildlife would take it from that approach rather than assuming right off the bat that the animals are there to be killed. The Board of Game is so deaf to non-consumptive users that there is no point in offering proposals anymore. Ms. Mitchell's statement that only 5 percent of such proposals get accepted underscores this point. Non-consumptive uses are not represented and instead the four or five trappers on Stampede Trail get all the wolves there at the expense of all the visitors in the tourism industry. In the "Yukon-Charley" 40 wolves have been killed in the last few weeks and 619 wolves have been killed there since 2005. It is certainly consumptive use and it represents the kind of attitude that the Board of Game has. Non-consumptive users like him are shut out of this. He said he is dismayed with Representative Birch's extreme position that the proposed actions under HB 134 would result in fencing off the whole state as such hyperbole skews the discussion. He stated his support for the bill and everything said by Mr. Van Ballenberghe.

[2:19:00 PM](#)

KNEELAND TAYLOR testified he has lived in Alaska for 42 years and has been a hunter, although he doesn't hunt anymore. He has been involved in wildlife issues for 20 years, including three Board of Game subcommittees. He has applied for a position on the Board of Game. If appointed he would probably have very little substantive impact given he'd be one non-hunter out of seven members. However, he could play an important and positive role because one non-hunter/non-trapper on the board would bring

out a lot of other citizens to testify. He has attended the board's meetings for years and the extent to which non-consumptive users do not show up and do not participate is appalling, but [their non-attendance] is because of the hostile reaction. He recently listened to the board's deliberations regarding the Stampede area and Denali wolves. The board members talked about the impact on tourism, the impact of the money that would be made, and the impact on trappers who would be inconvenienced, but not a single mention about the enjoyment that Alaskans like him get from seeing a wolf. Had he been there as a board member he could have brought up that different point of view. Much urbanization is happening in Alaska and city people such as himself are like the city people in other states - going to the wild lands on weekends to enjoy wildlife. Alaska's wildlife belongs to all Alaskans and having [non-consumptive seats] on the board would bring a different point of view and would not create controversy.

[2:22:48 PM](#)

REPRESENTATIVE BIRCH asked Mr. Taylor what he would do differently if seated on the board and whether the board would operate differently if he were a member. For example, whether as a board member in this capacity Mr. Taylor would advocate for less hunting or less trapping or less taking of wildlife.

MR. TAYLOR replied that he has made proposals for setbacks along popular trails so that dogs don't get trapped. He is also interested in no wolf trapping in the Stampede trail area. Perplexing and worrisome to him is the intensive game management statute. As an attorney who has appeared before administrative hearing officers and judges, he said he knows the importance of having impartial people there, and as a board member, he would be impartial when there are clear and specific mandates, as he believes anyone would whether or not he/she is a non-consumptive user. However, within the mandates there is room for wildlife viewing or no wolf trapping in the Stampede road area and there is room for setbacks and there are some areas in which wildlife viewing could be increased - for example, there are two or three spots in the state where there is good Dall sheep viewing.

[2:25:09 PM](#)

ROBERT ARCHIBALD testified he has been in Alaska since 1978 and currently he is a non-consumer. The issue at hand, he said, is how to change, or whether to change, the population of the Board of Game. Putting a non-consumptive position on the board

doesn't mean that that member is a non-hunter - a person could have hunted in the past and would therefore be knowledgeable in that regard. Many people just don't hunt anymore, so it cannot be categorically said that that is going to be a tourist-inclined person. The Board of Game lacks scientific knowledge these days. While the members may be fine hunters and trappers, they have not taken the very profound information that has been put forth by the scientific community. It would therefore not hurt to have a different make-up of the board. The board is tasked with managing the game for successful population of the state and he would like to see it a little more diverse. Regarding the eagles in Homer, the issue was rather cantankerous and some good science on that would have helped.

[2:27:04 PM](#)

JESSE ROSS said he has been an Alaska resident for 21 years and currently holds the trapping seat on the Juneau-Douglas Advisory Committee (AC). Advisory committees are located in various areas throughout Alaska, he explained, and they advise the Board of Game and the Board of Fisheries on issues pertaining to each AC's area as well as statewide areas. Co-Chair Josephson's statement that non-consumptive users do not have any other way to voice their opinion is untrue, he said, because all communities in Alaska have representation via an advisory committee and non-consumptive users can voice their opinion to their respective advisory committee. There is a designated seat for non-consumptive, for non-consumptive commercial such as tour operators, as well as designated seats for hunters, big game guides, commercial fishermen, and sport fishermen. This is the process that has been in place for many years. While he wants to support everybody, the Alaska constitution states that the mission is to protect, maintain, and improve fish, game, and aquatic plant resources of the state and manage their use and development in the best interest of the economy and the wellbeing of the people of the state consistent with the sustained yield principle. The sustained yield principle means predator control. To boost prey populations such as moose, caribou, deer, and mountain goat there may have to be predator control measures. Being a game manager or Board of Game member is not an easy job because pleasing everybody cannot be done.

[2:30:04 PM](#)

CO-CHAIR JOSEPHSON addressed Mr. Ross's assertion that there are other avenues for non-consumptive voices to be heard. He said his understanding is that it is only the Juneau-Douglas Advisory

Committee that has a dedicated seat for a non-consumptive user and therefore it is untrue that other advisory committees have a non-consumptive seat.

MR. ROSS offered his belief that the aforementioned is not true because there are dedicated seats based on the population. He suggested talking to "board support" in this regard.

[2:31:01 PM](#)

CO-CHAIR JOSEPHSON reiterated his understanding that it is only the Juneau-Douglas Advisory Committee that has a dedicated non-consumptive seat. He asked whether that is true or false.

MR. ROSS replied he believes it is false because there are open seats on every advisory committee. A democratic process is already in place and saying that [non-consumptive users] don't have a voice is trying to change the game. There is very much a voice here, [non-consumptive users] can be heard by getting involved in their local AC; for example, three alternate seats are vacant on the Juneau AC but nobody shows up to participate.

[2:31:49 PM](#)

CO-CHAIR JOSEPHSON proffered that he and Mr. Ross may agree and that he and Mr. Ross are just using different terms for the same thing. He said he doesn't doubt that there are open seats and that theoretically anyone can fill them. However, he continued, "I had a separate question, and I didn't really get an answer."

[2:32:33 PM](#)

MR. ROSS continued his testimony. He said several issues are going on and he thinks the sponsor is trying to use the bill as an avenue to address not hunting but predator control, which are two different things in Alaska. The state has a system in place for appointment to the Board of Game. Anyone can send a name to the governor for nomination of an appointee to the Board of Game when a seat becomes available. The governor then selects a person and that person must be confirmed by the legislature. This is a democratic process. During the Knowles Administration, it was a very liberal Board of Game because those were the people appointed by Governor Knowles. He is all for every user group to be represented, he said, but the mission of ADF&G is to stay consistent with the sustained yield principle, which is written in the state constitution.

[2:33:51 PM](#)

REPRESENTATIVE PARISH noted that one of his staff is a former member of the [Juneau-Douglas] Advisory Committee. But, he said, it would be useful to have on the record the composition of the Juneau-Douglas AC. Recalling that Mr. Ross holds the designated trapping seat, he asked what are the other seats.

MR. ROSS confirmed he holds the trapping seat, and said the other seats include a hunting guide, several non-consumptive seats, and alternate seats without a title in case someone is unable to attend the meeting. These are just advisory committees and, as such, all the AC's do is give feedback based on the local issue at hand to the Board of Game or Board of Fisheries. There are commercial fishermen, a commercial seafood processor, and a non-consumptive commercial user like a tour operator, so it is a well-rounded group of people and at times this results in some lively debates.

REPRESENTATIVE PARISH inquired whether this breakdown of the advisory committee works well and allows for a robust debate and the forwarding of good suggestions to the full Board of Game.

MR. ROSS responded yes.

The committee took a brief at-ease.

[2:36:36 PM](#)

KEN GREEN offered his support for HB 134. He said non-consumptive users deserve to be heard and have a place on the board. It is very difficult to deal with the board as it is set up today. At the moment it is almost like speaking to an "old boy" network. He has dealt with the board on trapping and setback issues. During his last effort he was told about how the Board of Game attempts to deal with people who bring proposals to it. That the board doesn't deal with proposals is reflective in the unanimous votes opposing anything. This makes him suspicious because it shows that other people are not being represented and are flat being ignored, and this is not right. He said he is in favor of diversity on the board because then there would be some recognition of scientific information.

[2:39:52 PM](#)

REPRESENTATIVE PARISH inquired as to Mr. Green's profession and whether he has any economic involvement with wildlife.

MR. GREEN replied he is retired and is allowed to subsistence fish on the Russian and Kenai rivers. He noted that his dogs have been caught in traps three times and he was able to release them each time, but now one dog is missing for an unknown reason. One of the traps was a snare and each time it was a difficult emotional experience to go through and that is what got him involved with the Board of Game.

[2:40:51 PM](#)

NANCY HILLSTRAND, Spokesperson, Coal Point Trading Company, explained that her customers are fishermen and wildlife viewers. She served on the fish and game advisory committee for 17 years and has participated in the Board of Game and Board of Fisheries process for 35 years. There is an elephant in the room, she said, and it is the wildlife viewers who come every summer wanting to see moose, marine mammals, and other wildlife. Almost 670,000 visitors come to Alaska each year specifically to view wildlife plus there are almost 200,000 residents that view wildlife. These people bring \$2.7 billion into the state; hunting brings in \$1.3 billion, half the amount of wildlife viewing. She urged the committee to read the statistics compiled by ADF&G regarding the economic importance of Alaska's wildlife. Regarding government revenue, she relayed that wildlife viewers brought \$231 million into the state of Alaska, whereas hunting brought in \$112 million. Labor [for wildlife viewing] was nearly 19,000 people versus 8,000 for hunters, so [wildlife viewing] is a huge economic engine to Alaska.

MS. HILLSTRAND said things are changing and this proposal is necessary for the Board of Game because regulations are needed for the huge amount of people coming into the state and utilizing the state's wildlife. According to the tourism board, the reasons why people come to Alaska are its beauty, its wildlife, and shopping. She expressed that it is extremely important to get a balanced view on the Board of Game because, in her experience, it is not balanced. She said she has had a hard time getting in any type of proposal.

MS. HILLSTRAND said she has no problem with hunting, as her whole family hunts and she has hauled out moose and skinned moose and deer. She emphasized that hunting is not the point here; the point is that Alaska has a huge amount of people that need to be regulated, and this is needed on the board so it can do a good job for the state's wildlife and future and uphold the state constitution for the preference of all people. She

pointed out that the "North American Waterfowl Plan" has been revised because based on the realization that wildlife viewers must be incorporated into the fold. She further noted that several years ago, she came to the legislature to try to get a \$5 license for non-consumptive users to be able to bring money into ADF&G, but it was brought up to a \$25 emblem. She opined that \$5 is more appropriate, because [paying more than that] is hard when people aren't taking meat home.

[2:45:08 PM](#)

REPRESENTATIVE BIRCH asked Ms. Hillstrand whether she sees sustained yield as unable to coexist with wildlife viewing by the public.

MS. HILLSTRAND replied that she worked with the Board of Game and was on the advisory committee prior to Senate Bill 77, which brought into being the maximum sustained yield for human harvest. Prior to that requirement it had to do with making sure the populations were robust and populations; it was a more balanced view of predator-prey relationships. She stated that when it comes to viewing, only two places are designated viewing areas and they are packed with people. The state could put any price it wants on them because people want to go to McNeil to see the bears, yet having any more areas than that is not allowed when it comes up before the Board of Game. Ms. Hillstrand said it is an interesting imbalance and it is not a democratic process any more. She opined that more science and more information are needed on the board to ensure that the state's wildlife population is managed by sustained yield. Often populations are taken too far "over the edge" and then a long time is needed to rehabilitate them.

[2:47:42 PM](#)

ROBERTA HIGHLAND, Spokesperson, Kachemak Bay Conservation Society, testified that her organization is not anti-hunting and strongly supports HB 134. Diversity on the Board of Game is important, she said. She has been in Alaska for 45 years and is one of those people who have been horrified by some of the board's decisions. She has felt marginalized as well as discriminated against. Her organization supports wildlife viewing and photography because they are wonderful attractions for people living in and traveling to Alaska, plus they are sustainable ways for Alaskans to make a living. She said she disagrees with maximum yield and finds the word "maximum" frightening. These user groups should be represented on the

Board of Game, plus her organization would like to see it taken one step further with the establishment of a wildlife stamp so these users could add to the state's coffers. She, too, thinks the board should be called the Board of Wildlife, because the Board of Game makes it focus only one way. She said the Homer Advisory Committee is frequently not listened to, so the statement that one's voice can be heard through the AC has not proven to be true. This situation has been ongoing for a long time and it is past time for a change. Adding only two seats still won't make it even; it would be preferable to balance it with three and three and one that goes either way. She said that given there is no balance, she is happy to see this bill. Wildlife viewing is a moneymaker, she said. She concluded, "Seeing one animal by a thousand people versus one person taking that animal - it hasn't made sense."

[2:50:26 PM](#)

AL BARRETTE stated he is former Board of Game member and is currently a 17-year-long advisory committee member. He urged the committee not to support HB 134. The current statute is fine, he said, and what it all boils down to is the legislature. The governor can appoint somebody, but it is ultimately the legislature that is responsible for who is on the Board of Game. Designated seats are not needed; the makeup of the legislature will determine who is or is not on the board. Fixing the perceived problem here is the responsibility of the legislature. People's voices are heard at the Board of Game, although people may not like the answers or votes that come back from the board. The board deliberates on every proposal, hears public testimony, and takes written comments. He said he has written hundreds of proposals in the last 17 years and probably hasn't had any more success than somebody writing a proposal to close the Stampede Trail area. The Board of Game must operate under sustained yield and it meets that requirement which means there are populations of game for people to view, but it may not be where people want to go view them. The current makeup of the board is diverse, it has two bonafide biologists on it and it has people who probably don't hunt anymore but who do consume wildlife. Regarding the proposal that somebody must be appointed from the tourism industry, he said that the hunting guide currently on the board is already engaged in tourism because big game guides are part of tourism.

[2:53:06 PM](#)

JAMES KOWALSKY, Spokesperson, Alaskans for Wildlife, testified in support of HB 134. He said the Board of Game has for too long been way out of touch with the demographic reality of the state. He noted that [Article 8], Section 3, of the state's constitution states that fish, wildlife, and waters are reserved to the people for common use. It does not say to "certain people," it says "the" people, he pointed out. For too long the state has had a Board of Game that has nowhere near that kind of guidance and therefore his organization supports a change. The two representatives that would be enabled by HB 134 would still leave the Board of Game out of sync with the realities of the state. He urged it be recognized that all people in the state are stakeholders and need representation, which is not currently the case. This Board of Game is an exclusive group that does not represent the state's public. He expressed his hope for the bill making some headway.

[2:55:15 PM](#)

NANCY BALE stated that HB 134 is a good idea. She noted that the Board of Game statute under AS 16.05.221 and the duties under AS 16.05.225 provide that there be a diversity and the ability to put into regulation a wide variety of proposals, not just proposals for hunting and maximizing hunter opportunity, but also setting aside game reserve areas. Refuges and sanctuaries are part of the statutory role of the Board of Game. In HB 134 the sponsor is not trying to make the board different but trying to make it so the board can realize its full potential. She recently attended the Board of Game meeting in Fairbanks. She belongs to the Denali Citizens Council, which brought one of the Denali wolf buffer proposals, Proposal 142. She has gone to Board of Game meetings and just listened and she has a great deal of respect for the board who is taking care of the needs of the many hunters throughout the roadless areas of Alaska who have asked the board to intervene on their behalf so they will have enough animals for their table. She appreciates what the board does to provide meat for the state's citizens and yet she believes that when it comes to a proposal that would take hunter opportunity the board seems quite reticent and is much more likely to believe testimony from trappers, hunters, and subsistence user groups that don't want to share. She wrote the Board of Game executive director Kristy Tibbles and asked whether the board is only making decisions based on hunter opportunity. She then read the following from Ms. Tibbles' reply: "The board makes policy and allocation decisions and can make decisions that reduce hunter/trapper opportunity. For example, access can be restricted in certain areas, bag limits

and seasons serve as restriction, methods and means can be prohibited, and so on. Specific examples include the closure to hunting outside McNeil River and Seymour Canal." So, she posited, by saying this, the Board of Game can do so much more than it has been doing and is statutorily authorized to do it. Other states try to take care of this allocation thing, so it wouldn't be unusual for Alaska to do something in this nature. Alaska's Big Game Commercial Services Board has nine members and allocates all the seats - two members from licensed guides, two from transporters, one from the Board of Game, two who represent private landowners affected by guided hunting, and two public members not otherwise allocated. In Wyoming, not more than five members of the seven-member board can be of a single party.

[2:59:16 PM](#)

SYLVIA PANZARELLA said she has lived in Alaska for 18 years. She offered her support for HB 134 and said it is long overdue for having at least two members representing non-consumptive use; they are not second-class citizens. So often when someone supports having other user groups on the board it is as if they are going against mom and pop having enough food in their freezer; however, denying a subsistence person or other people from putting a moose in their freezer is not the point at all. She said so much of the Board of Game seems to be going towards the big game hunting groups, outside groups like the Safari Club and such; game management doesn't mean having a game farm in Alaska. She said so often it is heard about not wanting to have the state made into a national park, but she said she does not want the state made into a game farm; therefore, she said she would like to have some non-consumptive users on the board. She opined that integration is not easy and sometimes it has to come with a mandate.

[3:01:27 PM](#)

CONNIE BRANDEL, Staff and Board Member, Alaska Wildlife Alliance (AWA), said she is a 30-year resident of Alaska. She offered her organization's strong support for HB 134, saying the bill's provisions are something her group has supported unsuccessfully for years. Highly qualified people have submitted applications to the governor's office to serve as non-consumptive representatives, from hunters to wildlife biologists to people with decades of experience on wildlife issues. These fair-minded people would support non-consumptive uses of wildlife and the responsible scientifically managed harvest of game, but these candidates just aren't chosen. Non-consumptive users

simply cannot get a voice, much less a seat at the table. As was stated by Ms. Mitchell, the Board of Game has approved only 5 percent of the non-consumptive proposals submitted over the last 20 years.

MS. BRANDEL stated that as a supporter of this bill, she never contemplated that these two non-consumptive seats would come from a mindset of opposing hunting or trapping proposals; that would be counterproductive and negate everything AWA is trying to achieve. The only difference would be to make the votes on the Board of Game for non-consumptive proposals five to two instead of seven to zero, so things would be where they are now. She said the AWA wants the people in these two seats to be open to consumptive use of wildlife and be willing to debate and compromise, and AWA would hope for quid pro quo from the rest of the board. The Denali wolf buffer issue has been stonewalled for years, she added. Not only was the existing buffer taken away, a six-year moratorium was enacted banning the public from even submitting buffer proposals. Therefore, how can it be said that the board is receptive to non-consumptive users?

[3:04:56 PM](#)

NANCY KUHN testified that she has attended some Board of Game meetings and came away frustrated after sitting for hours for several days. She said she supports HB 134 because it is time to get some new voices and not to be afraid of the little old ladies who may come in and say they don't need to have the Board of Game tell them how many moose they can kill or bears they can trap. It is time for the board to open its ears to new words such as sustained yield. Does that mean that every month people will go out and kill something for putting on their wall or putting in their stomachs? Is it that the Board of Game will go to a museum to view things and then say that it is not making use of the museum because it didn't kill and eat the animals? She has been in Alaska since 1975 and she has yet to see a wolf. She would like to think that before she dies she will see a wolf and not have to go to a museum or zoo to do so. The Board of Game needs to get modern; women and citizens are not to be feared.

[3:06:51 PM](#)

CO-CHAIR JOSEPHSON, after ascertaining no one else wished to testify, closed public testimony on HB 134.

CO-CHAIR JOSEPHSON held over HB 134.

3:07:13 PM

ADJOURNMENT

There being no further business before the committee, the House Resources Standing Committee meeting was adjourned at 3:07 p.m.