

**ALASKA STATE LEGISLATURE
HOUSE RESOURCES STANDING COMMITTEE**

March 27, 2018

6:36 p.m.

MEMBERS PRESENT

Representative Andy Josephson, Co-Chair
Representative Geran Tarr, Co-Chair
Representative John Lincoln, Vice Chair
Representative Harriet Drummond
Representative Justin Parish
Representative Chris Birch
Representative DeLena Johnson
Representative George Rauscher
Representative David Talerico

MEMBERS ABSENT

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

OTHER LEGISLATORS PRESENT

Representative Dan Saddler

COMMITTEE CALENDAR

CONFIRMATION HEARING(S) :

Board of Game

Teresa Sager Albaugh - Tok Cutoff

- CONFIRMATION(S) ADVANCED

HOUSE CONCURRENT RESOLUTION NO. 23

Supporting enhanced efforts to protect wildlife and domestic animals in the state from infectious diseases, foreign pathogens, and nonendemic parasites.

- MOVED CSHCR 23 (RES) OUT OF COMMITTEE

HOUSE BILL NO. 354

"An Act relating to dive fishery management assessment procedures."

- MOVED HB 354 OUT OF COMMITTEE

HOUSE BILL NO. 27

"An Act relating to chemicals that are of high concern for children and to the manufacture and sale of products containing certain flame retardant chemicals; relating to an interstate chemicals clearinghouse; adding an unlawful act to the Alaska Unfair Trade Practices and Consumer Protection Act; and providing for an effective date."

- SCHEDULED BUT NOT HEARD

HOUSE BILL NO. 260

"An Act relating to electronic possession of certain licenses, tags, and identification cards issued by the Department of Fish and Game; and providing for an effective date."

- SCHEDULED BUT NOT HEARD

HOUSE BILL 315

"An Act relating to the confidentiality of certain records on animals and crops; and providing for an effective date."

- SCHEDULED BUT NOT HEARD

PREVIOUS COMMITTEE ACTION

BILL: HCR 23

SHORT TITLE: PROTECT WILDLIFE FROM FOREIGN PATHOGENS

SPONSOR(S): REPRESENTATIVE(S) JOSEPHSON

02/21/18	(H)	READ THE FIRST TIME - REFERRALS
02/21/18	(H)	RES
03/02/18	(H)	RES AT 1:00 PM BARNES 124
03/02/18	(H)	-- MEETING CANCELED --
03/16/18	(H)	RES AT 1:00 PM BARNES 124
03/16/18	(H)	Heard & Held
03/16/18	(H)	MINUTE(RES)
03/21/18	(H)	RES AT 1:00 PM BARNES 124
03/21/18	(H)	Scheduled but Not Heard
03/23/18	(H)	RES AT 1:00 PM BARNES 124
03/23/18	(H)	-- MEETING CANCELED --
03/26/18	(H)	RES AT 1:00 PM BARNES 124
03/26/18	(H)	-- Meeting Postponed to 3/27/18 at 6:30 pm--
03/27/18	(H)	RES AT 6:30 PM BARNES 124

BILL: HB 354

SHORT TITLE: DIVE FISHERY ASSESSMENTS

SPONSOR(S): REPRESENTATIVE(S) ORTIZ

02/16/18	(H)	READ THE FIRST TIME - REFERRALS
02/16/18	(H)	FSH, RES
03/08/18	(H)	FSH AT 10:00 AM GRUENBERG 120
03/08/18	(H)	Moved HB 354 Out of Committee
03/08/18	(H)	MINUTE(FSH)
03/09/18	(H)	FSH RPT 3DP 1NR
03/09/18	(H)	DP: TARR, KREISS-TOMKINS, STUTES
03/09/18	(H)	NR: NEUMAN
03/21/18	(H)	RES AT 1:00 PM BARNES 124
03/21/18	(H)	Heard & Held
03/21/18	(H)	MINUTE(RES)
03/23/18	(H)	RES AT 1:00 PM BARNES 124
03/23/18	(H)	-- MEETING CANCELED --
03/26/18	(H)	RES AT 1:00 PM BARNES 124
03/26/18	(H)	-- Meeting Postponed to 3/27/18 at 6:30 pm--
03/27/18	(H)	RES AT 6:30 PM BARNES 124

WITNESS REGISTER

TERESA SAGER ALBAUGH, Appointee
Board of Game (BOG)
Tok Cutoff, Alaska

POSITION STATEMENT: Testified as appointee to the Board of Game (BOG).

MARK RICHARDS, Executive Director
Resident Hunters of Alaska
Fairbanks, Alaska

POSITION STATEMENT: Testified in support of Teresa Sager Albaugh's appointment to the Board of Game (BOG).

APRIL FERGUSON, Senior Vice President and General Counsel
Bristol Bay Native Corporation (BBNC);
Chair, Legislative and Litigation Committee
Alaska Federation of Natives (AFN)
Anchorage, Alaska

POSITION STATEMENT: Testified in opposition to Teresa Sager Albaugh's appointment to the Board of Game (BOG).

GRACE MULIPOLA
Anchorage, Alaska

POSITION STATEMENT: Testified in opposition to Teresa Sager Albaugh's appointment to the Board of Game (BOG).

WAYNE KUBAT, Vice President
Alaska Professional Hunters Association
Anchorage, Alaska

POSITION STATEMENT: Testified in support of Teresa Sager Albaugh's appointment to the Board of Game (BOG).

POLLY WATSON
Anchorage, Alaska

POSITION STATEMENT: Testified in opposition to Teresa Sager Albaugh's appointment to the Board of Game (BOG).

BECKY SCHWANKE
Glennallen, Alaska

POSITION STATEMENT: Testified in support of Teresa Sager Albaugh's appointment to the Board of Game (BOG).

ROBERT GERLACH, DVM, State Veterinarian
Division of Environmental Health
Department of Environmental Conservation (DEC)
Anchorage, Alaska

POSITION STATEMENT: Answered questions related to HCR 23.

REPRESENTATIVE DAN ORTIZ
Alaska State Legislature
Juneau, Alaska

POSITION STATEMENT: Speaking as the sponsor, reviewed HB 354.

ACTION NARRATIVE

[6:36:25 PM](#)

CO-CHAIR ANDY JOSEPHSON called the House Resources Standing Committee meeting to order at 6:36 p.m. Representatives Josephson, Birch, Parish, Talerico, Johnson, and Lincoln were present at the call to order. Representatives Tarr, Drummond, and Rauscher arrived as the meeting was in progress. Also present was Representative Saddler.

CONFIRMATION HEARING(S) : **Board of Game**

[6:37:35 PM](#)

CO-CHAIR JOSEPHSON announced that the first order of business would be confirmation hearing(s) for the Board of Game.

6:38:29 PM

TERESA SAGER ALBAUGH, Appointee, Board of Game (BOG), testified as appointee to the Board of Game. Responding to Co-Chair Josephson she confirmed she just completed serving a three-year term on the board. At Co-Chair Josephson's request Ms. Sager Albaugh provided a statement regarding her reappointment to the Board of Game. She said she is a life-long Alaskan and grew up in Fairbanks in a hunting and fishing family. In 1984 she moved to Tok Cutoff where she and her husband live in a log home, haul water, run a trapline, hunt and fish for food, garden, and raise domestic livestock.

MS. SAGER ALBAUGH noted she has served on the Board of Game since 2009. Regarding her qualifications for serving on the board, she allowed she doesn't have a degree or background in natural resources or wildlife management that would be expected for serving on the board. Instead, she continued, she brings a layman Alaskan's background to the table. Since 1996 she has worked for Summit Consulting, a construction management and engineering firm that designs and builds community improvements, predominantly sanitation infrastructure projects, in rural Alaska. In the 1980s and early 1990s she worked for 12 years as a legislative aide. She said her volunteer positions include serving on the board of directors of the Alaska Outdoor Council and the Alaska Fish and Wildlife Conservation Fund. She is also a life member of the National Rifle Association (NRA).

MS. SAGER ALBAUGH said she brings to the Board of Game the average Alaskan's perspective from living in both urban and rural parts of the state and having a hunting and fishing background. As a board member, she stated, she makes an effort to keep her contribution to the board's deliberations and her votes grounded to the constitution and the statutes. She thanked the committee for considering HCR 23, which deals with foreign pathogens in Alaska's wildlife populations. She said the Board of Game recently heard proposals on this topic and will likely be hearing from the Alaska Department of Fish and Game (ADF&G) now that a number of Dall sheep and mountain goats have tested positive for the Mycoplasma ovipneumoniae (M. ovi) pathogen. She urged passage of HCR 23.

6:42:09 PM

REPRESENTATIVE RAUSCHER requested Ms. Sager Albaugh to state her position on how to approach M. ovi.

MS. SAGER ALBAUGH replied things are rapidly changing because sheep and goats have tested positive for the M. ovi pathogen, although there has not yet been an outbreak. She said she believes this will influence the direction of [the Alaska Department of Fish and Game (ADF&G)], domestic owners, and those interested in wild populations. The most important approach at this point is to move as quickly as possible to work toward cooperation between domestic owners and the advocates for the wild populations. Given the pathogen's detection in wild populations, she said she doesn't know whether disease-free wild sheep and goat populations can be achieved and other measures may need to be taken. The Board of Game's legal responsibility, she continued, is to assure that domestic populations do not affect or come in contact with wild populations so disease transmission cannot occur. This means looking at domestic populations and determining whether they should be on or off what is called the "clean list," she added.

[6:44:41 PM](#)

REPRESENTATIVE RAUSCHER said he understands a quick response, but reiterated his request for Ms. Sager Albaugh to provide her position on how to approach M. ovi.

MS. SAGER ALBAUGH responded that the state must consider the primary steps of: vigorous testing of domestic populations; separating through fencing; determining where domestics can be physically owned and kept; and importing. She noted the state veterinarian and ADF&G could speak more specifically to those issues. At the Board of Game level, she continued, these areas were discussed as important to consider and to perhaps implement regulatory requirements.

REPRESENTATIVE RAUSCHER noted the positive-testing wild goats are still out there and that it is unknown whether the positive-testing wild sheep had been in contact with other sheep. He inquired about Ms. Sager Albaugh's philosophy on this topic.

MS. SAGER ALBAUGH answered she thinks it is of great concern. She said she doesn't know what the likelihood of an outbreak is, but she understands that if there is an outbreak in the sheep and goats that have tested positive for the pathogen then it can and will spread rapidly. In the Lower 48, she said, it has had devastating consequences in sheep, with die-offs and significant

diminishment of populations. It is a very serious problem and with animals testing positive it's of significantly more concern than a few months ago when no animals tested positive.

[6:48:22 PM](#)

REPRESENTATIVE PARISH observed from Ms. Sager Albaugh's application that she recognizes there is a potential financial consequence to an immediate family member. He expressed his confidence that she would recuse herself should that become an issue. He requested Ms. Sager Albaugh to respond to a letter written by Ms. [April] Ferguson that states the appointee hasn't supported the community subsistence hunt appropriately.

MS. SAGER ALBAUGH replied the community hunt is a complex issue that the board has considered a number of times since it was enacted. She assured the committee that at the board table she has always worked toward providing reasonable opportunity for subsistence in all areas of the state where the board has responsibility to provide for that opportunity, which includes specifically the Game Management Unit 13 (GMU 13) community subsistence hunt.

REPRESENTATIVE PARISH requested Ms. Sager Albaugh to explain what she thinks is the purpose of the community subsistence hunt and why it is necessary in addition to the other ways that someone can take game.

MS. SAGER ALBAUGH responded the original intent of the community subsistence hunt was to offer everyone in the state a way to provide for subsistence in the GMU 13 hunt, and specifically in the traditional hunt area of the eight Ahtna villages. It was separate from the Tier II hunt, she said, which was a very difficult and unpopular hunt fraught with a number of problems. It was an alternative to the Tier II hunt but still intended to provide subsistence opportunity. It has changed a number of times since it was originally created, she noted, and a number of those changes have been brought about by court rulings.

[6:52:46 PM](#)

REPRESENTATIVE PARISH inquired how Ms. Sager Albaugh would change the way or adjust how the community subsistence hunt goes forward. He noted Ms. Ferguson's letter states that [last year] in the Ahtna region 72 groups composed of over 3,000 individuals competed for 100 moose. These groups had names such as Mat-Su Slayers, Raspberry Rebels, Jule Friends and Family, MatSu Moose

Munchers, Anchorage Wheelers, Bicycle Collective, Meadow Lake Meatavors, and Hunt for Fun. He inquired whether Ms. Sager Albaugh feels that that was within the mission of the community-supported hunt and, if not, how she would change it.

MS. SAGER ALBAUGH answered that when the hunt was created the intent was to not have the number of participants in the hunt that are currently participating. The group names listed in the letter were brought to the board's attention, she said, and have the appearance of making a mockery, so to speak, of the community hunt. The Board of Game held a meeting in Glennallen last year specifically on the community hunt's issues and proposals, she related. An individual from Valdez representing a group in the community hunt testified how he had made efforts to observe the subsistence pattern in the community hunt. To demonstrate that he brought a moosehide gun scabbard that he'd made and he wore a beaded moosehide vest. He talked at length about the group's use of animals harvested in the community hunt and how these animals are shared with community members. His group had a Spanish name, Alces Asesinos, and he indicated in his oral and written testimony that in English the name translates to Moose Assassins. So, she continued, the name sounds questionable, but his testimony was as sincere as that of anyone from the local region who testified as a participant in the local hunt. She said she is offering this to provide a broader perspective of what's in a name and that communities and groups cannot be judged by their names.

MS. SAGER ALBAUGH addressed the question about how she would change the community subsistence hunt. She said that regarding "the problem that is perceived by a number of people with the community hunt and the heavy participation in the hunt," she has advocated for the last several years for aligning the seasons and the bag limits in the community hunt, which for caribou is the registration hunt and for moose is the general hunt. This would alleviate pressure on the community hunt, she posited, because the bag limits and the seasons would be the same and would in essence treat all subsistence participants equally. That is appropriate and consistent with Alaska's subsistence law, she said, which provides for the board to have the ability and authority for doing that when moose and caribou populations are abundant, which is the case in GMU 13 at this time.

[6:57:45 PM](#)

CO-CHAIR JOSEPHSON asked the appointee whether she has done anything since 2009 that supported a nonconsumptive interest;

for example, a proposal supporting wildlife watching or supporting fair chase.

MS. SAGER ALBAUGH replied there are some she has not supported, but she has continued to support a number of existing areas and opportunities that were set aside by previous boards. She said she doesn't recall any new proposals for creating nonconsumptive use opportunities coming before the board.

[6:59:25 PM](#)

CO-CHAIR JOSEPHSON opened public testimony on the appointment of Ms. Sager Albaugh to the Board of Game.

[6:59:38 PM](#)

MARK RICHARDS, Executive Director, Resident Hunters of Alaska, testified in support of Ms. Sager Albaugh's appointment to the Board of Game (BOG). He pointed out his organization supports her appointment even though she doesn't always vote the way the organization would like. He said Ms. Sager Albaugh staunchly advocates for following the rules and mandates of the board to conduct an open and fair public process within the bounds of the board's authority. Regarding controversial issues like the community subsistence hunt, he stated that Ms. Sager Albaugh always voted according to the laws, not emotions or pressure. He urged Ms. Sager Albaugh's appointment be confirmed.

[7:01:46 PM](#)

APRIL FERGUSON, Senior Vice President and General Counsel, Bristol Bay Native Corporation (BBNC); Chair, Legislative and Litigation Committee, Alaska Federation of Natives (AFN), testified in opposition to Ms. Sager Albaugh's appointment to the Board of Game (BOG). She paraphrased from the following written testimony [original punctuation provided]:

The Bristol Bay Region has over 8,000 residents, not all shareholders or Native, but most of whom rely in some part on hunting, fishing, gathering and subsistence.

Thank you to the Co-Chairs for allowing me to testify today. Respectfully, I am here today to speak against the confirmation of Ms. Teresa Sager Albaugh. I ask that you look closely at Ms. Albaugh's policy positions, affiliations and voting history. I do not believe that she is the right person for this job.

Ms. Albaugh has not demonstrated an understanding of or sensitivity to subsistence needs. It is a job that should be given to individuals who are thoughtful, sensitive to our state history and challenges and who work to create solutions

For instance, The BOG in 2006, unanimously found that the Tier [III] hunt is broken, unfair and plagued with inequities and false applications. After much work, the BOG in 2009 established the Community Subsistence Hunt, a special subsistence hunt for communities that factually demonstrate and observe a set of hunting and sharing traditions. Albaugh has routinely voted against the CSH and has worked actively to eliminate or oppose well managed subsistence hunts.

I have been paying closer attention to what the BOG is doing after that horrific hunt last year in the Ahtna region where 72 groups composed of over 3000 individuals competed for 100 moose.

Groups like the "Mat-Su Slayers," "Rasberry Rebels," "Jule Friends and Family," "MatSu Moose Munchers," "Anchorage Wheelers," "Bicycle Collective," "Meadow Lake Meatavors," "Hunt for Fun" and others participate in the CSH and harvest bulls that would have gone to the original CSH participants if the system were allowed to function correctly.

All of these groups harvested in the 2016-17 hunt. All except "Anchorage Wheelers" harvested an "any bull" - not an antler-restricted moose. At least some of them appear not to be primarily subsistence users at all, and likely do not meet all of the qualifications to participate in the hunt.

I believe that as reflected by Teresa's voting record and under her influence and efforts to weaken the CSH is it not meeting the needs it was intended to meet.

I respectfully request that this body vote against confirmation of this candidate for the BOG.

[7:07:13 PM](#)

REPRESENTATIVE PARISH asked whether Ms. Ferguson has any comments in regard to Ms. Sager Albaugh's statement that she has advocated for the community subsistence hunt to be aligned with the regular subsistence hunt season and bag limits.

MS. FERGUSON replied she isn't an expert in this field and doesn't know if that would answer the problem. However, she continued, she does know that this challenge must be figured out

and she doesn't believe Ms. Sager Albaugh is the right person to work on this problem. She noted that as a BOG member Ms. Sager Albaugh represents lots of people with different interests, including [Ms. Ferguson's] son and other people of [Ms. Ferguson's] region. She said she is uncomfortable with this because the people living in customary and traditional areas don't have a lot of recourse for food and are struggling to eat.

7:09:06 PM

GRACE MULIPOLA testified in opposition to Ms. Sager Albaugh's appointment to the Board of Game (BOG). She stated she opposes Ms. Sager Albaugh's appointment based on the appointee's voting record on subsistence issues. Understanding subsistence is a big challenge for the state, she continued, and Alaska needs a person committed to finding solutions for subsistence users. Having grown up in a subsistence lifestyle in the Bristol Bay region, Ms. Mulipola said she knows the importance of year-round gathering of moose, fish, birds, and berries. Community members rely on subsistence year-round and Alaska needs someone appointed who understands that. The membership of the Board of Game is important to so many people around Alaska, she added, and in many cases the board decides who eats and who does not.

REPRESENTATIVE PARISH requested Ms. Mulipola to specifically state what she sees in Ms. Sager Albaugh's record as being anti-subsistence.

MS. MULIPOLA replied she will provide this information tomorrow or thereafter.

7:11:35 PM

WAYNE KUBAT, Vice President, Alaska Professional Hunters Association (APHA), testified in support of Ms. Sager Albaugh's appointment to the Board of Game (BOG). He said the APHA supports the appointee not because she agrees with the organization all the time, but because she puts the conservation of Alaska's wildlife resource first, is knowledgeable on wildlife issues, comes to board meetings prepared, keeps an open mind, and is respectful and willing to listen to viewpoints she may not agree with. He stated Ms. Sager Albaugh makes herself available to the public during breaks and works hard. Good process is important to healthy board function and she is mindful of that, he continued. The years she has already served on the board are a plus and make her a valuable asset.

7:12:54 PM

POLLY WATSON testified in opposition to Ms. Sager Albaugh's appointment to the Board of Game (BOG). She said she was raised with subsistence hunting, fishing, and gathering, and her breakfast, lunch, and dinner was subsistence. She stated she was shocked to find out that Ms. Sager Albaugh is not really supporting or defining the subsistence hunt. Without someone supporting and protecting the subsistence hunt, she added, it will fall apart. She said Ms. Sager Albaugh doesn't demonstrate an understanding of subsistence needs. Ms. Watson noted that while she may not qualify for the subsistence hunt because she now lives in Anchorage, she has friends and family members who do live in the village and she has heard them complain about how they can't [harvest an animal] because everybody from an outside point is coming in and getting [the animals]. She stated that hearing this at her young age is really scary.

REPRESENTATIVE PARISH offered his understanding that Ms. Watson believes Ms. Sager Albaugh has done an inadequate job of focusing the community supported hunts towards traditional subsistence communities.

MS. WATSON answered correct, she doesn't feel Ms. Sager Albaugh is preserving the subsistence part of the community. Ms. Watson said there should be more definitions and qualifications that need to be met to qualify for those hunts.

7:16:09 PM

BECKY SCHWANKE testified in support of Ms. Sager Albaugh's appointment to the Board of Game (BOG). A former biologist with the Alaska Department of Fish and Game (ADF&G), Ms. Schwanke noted she hunts sheep, moose, caribou, and small game every year with her husband and son and she traps every winter. For several years now, she continued, she has experienced the appointee's professionalism with the Board of Game. As the GMU 13 area management biologist she worked closely with Ms. Sager Albaugh, she said, and found her to be the most prepared member of the board and that Ms. Sager Albaugh addressed the issues from a constitutional and regulatory perspective. When making decisions, she continued, the board must come down to what the regulatory structure allows it to do and what the biological scenario requires of the board. She considers herself a subsistence hunter, she added, and there are many different regulatory opportunities for people to participate and be able to fill their freezers. She said Ms. Sager Albaugh has done a

professional job on the board in trying to maintain adequate and open opportunities for everybody to participate in the taking of the resources.

[7:19:04 PM](#)

CO-CHAIR TARR said relying on constitutional and regulatory provisions is troubling in that the constitution doesn't have any specific provisions for rural preference or subsistence preference and she believes an error was made when the constitution was drafted at statehood. She asked whether Ms. Schwanke's statement that Ms. Sager Albaugh relies on the constitution also means the appointee doesn't support any kind of rural preference.

MS. SCHWANKE replied that is not at all what she is saying. She said she thinks Ms. Sager Albaugh fully recognizes the opportunities that are offered across the state and as a board member does a very good job to make sure to provide opportunities for everybody. Many of Alaska's remote areas, including the one that both she and Ms. Sager Albaugh live in, have ample opportunities. These opportunities are through the state's open harvest program as well as specialized subsistence opportunity under federal subsistence hunting regulations, she continued. [Rural residents] have tremendous additional opportunity over any other hunters in the state when it comes to timing of hunts, places that can be hunted, and bag limits.

[7:20:55 PM](#)

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

[7:21:19 PM](#)

CO-CHAIR TARR [moved to advance the confirmation of Teresa Sager Albaugh to the Board of Game.] She stated the House Resources Standing Committee has reviewed the qualifications of Ms. Sager Albaugh and recommends her name be forwarded to a joint session for consideration. She reminded committee members that signing the reports regarding appointments to boards and commissions in no way reflects individual members' approval or disapproval of the appointees, and that the nominations are merely forwarded to the full legislature for confirmation or rejection. [There being no objection, the confirmation was advanced.]

The committee took an at-ease from 7:21 p.m. to 7:24 p.m.

HCR 23-PROTECT WILDLIFE FROM FOREIGN PATHOGENS

[7:24:54 PM](#)

CO-CHAIR TARR announced that the next order of business would be HOUSE CONCURRENT RESOLUTION NO. 23, Supporting enhanced efforts to protect wildlife and domestic animals in the state from infectious diseases, foreign pathogens, and nonendemic parasites.

CO-CHAIR TARR noted public testimony on HCR 23 was closed at the resolution's last hearing and that testimony at tonight's hearing would be invited testimony only.

[7:25:59 PM](#)

CO-CHAIR TARR moved to adopt Amendment 1.

REPRESENTATIVE JOHNSON requested the committee hear from the state veterinarian or the Alaska Department of Fish and Game (ADF&G) before taking up amendments.

CO-CHAIR TARR withdrew the motion to adopt Amendment 1.

[7:26:57 PM](#)

REPRESENTATIVE JOHNSON requested Dr. Gerlach to provide an overview of how he, as the state veterinarian, fills his responsibility to manage [*Mycoplasma ovipneumoniae* (M. ovi), a respiratory pathogen of wild and domestic sheep and goats]. She further asked what Dr. Gerlach thinks lawmakers should do.

ROBERT GERLACH, DVM, State Veterinarian, Division of Environmental Health, Department of Environmental Conservation (DEC), replied the responsibility of the Office of the State Veterinarian is to maintain animal health and to control issues such as outbreak of disease that would threaten populations of animals and to move forward in reducing that threat. He added that this authority is spread over both wild and domestic animals that are living as well as dead.

DR. GERLACH stressed that M. ovi is a very complicated issue. The [current] general understanding, he explained, is from the issues and events that have happened in the Lower 48 with a different population of animals that are under different stressors than is had in Alaska's population. With the current

concern, his office began a surveillance program in domestic animals to determine the prevalence of the pathogen in Alaska's domestic sheep and goats. His office is working with producers to understand how they manage their herds and flocks for bio-security of their health to prevent introduction and spread of disease. At the same time, he continued, ADF&G began a study looking at the many different Mycoplasma species - including M. ovi - and those test results detected M. ovi in [wild] sheep and goats throughout the state.

DR. GERLACH said his office and ADF&G are working to understand how the strains in wild populations and the strains in domestic livestock are related. Next is to understand the implications of that and whether there is any stress to Alaska's wild or domestic animals. His office and ADF&G are currently in the early stages of that finding, he continued, but the good news is that at this time ADF&G hasn't detected any negative impacts in the [wild] populations in which the M. ovi was found. The same has occurred with the domestic population where the prevalence of M. ovi is about 4 percent. The prevalence in wildlife is yet to be determined, but early indications are between 9 and 12 percent of the individual population, but not many animals overall have been tested. There are about 1,000 more samples that ADF&G has collected and sent for analysis, he added, and these will provide further information on this particular pathogen and help in understanding what the threats are, what threats are of concern, if any, and what actions can be taken besides the direct action that is being worked on with producers to decrease wild and domestic stock interaction. He pointed out the concern isn't just M. ovi - many pathogens can be spread between wildlife and domestic animals.

[7:31:59 PM](#)

REPRESENTATIVE RAUSCHER observed from an ADF&G document that ADF&G has detected nine more cases of M. ovi in Dall sheep. He inquired how the state veterinarian's office is or is not interacting with ADFG.

DR. GERLACH responded that test findings are being shared between the wildlife biologist and wildlife veterinarian in ADF&G and the director in his office, as well as the interpretation of that data.

[7:33:54 PM](#)

CO-CHAIR TARR observed a 3/20/18 press release states that new findings suggest the pathogen is more widespread and that three strains have been identified in preliminary analysis. She offered her understanding that there is more concern about the M. ovi, but asked whether there is concern about the other strains identified or if it is still too early to know.

DR. GERLACH answered that an understanding of this is still at the very early stages. Multiple strains of M. ovi have been identified, he said, as well as some detection of other Mycoplasma, such as Mycoplasma conjunctiva and a Mycoplasma conjunctiva-like organism, along with others that are still yet to be identified. The difference between what is being seen in Alaska compared to the Lower 48 is that the Lower 48 has had sporadic die-offs and mortality events for the past 40-50 years in bighorn sheep that have been studied for this. Only recently has M. ovi been identified as a primary pathogen in this disease process. In that regard, he continued, it is very difficult to look at and to understand all that is involved with respect to the current findings in Alaska.

[7:35:58 PM](#)

REPRESENTATIVE RAUSCHER, referring to the map provided in the committee packet, observed that the areas with positive M. ovi test results go all the way up to the Arctic National Wildlife Refuge (ANWR) and nearly as far south as Seward, as well as in Game Management Unit 13, and "below Tok, going out to the Canadian border." Given how large of an area this is, he requested Dr. Gerlach to provide his opinion as to how widespread this pathogen really is.

DR. GERLACH replied the identification of such widespread distribution from the Brooks Range to the Kenai Peninsula requires looking at alternative understandings of the initial identification of this organism as non-endemic. There isn't a lot of interaction with livestock in some of these far-reaching populations and there aren't very close connections between some of these populations, like the ones on the North Slope and the other populations identified. So, he said, from a scientific standpoint there must be a questioning of how to interpret and understand this new information.

DR. GERLACH stated it is going to be very important to test this species that may then be able to carry and distribute this pathogen, and that gets down to more basic scientific understanding of the pathogen. Initially it was understood that

it was just carried by Caprinae - sheep, goats, muskoxen. But, he continued, if other species could carry this and be a vector, then maybe that is how the pathogen was transmitted and interacting through these widespread populations. Or, he said, maybe this is a different strain of a pathogen or bacteria in the wild population and it is unknown for how long. While that may seem unlikely, he noted, he thinks it is something that needs to be considered to understand what is going on here.

DR. GERLACH offered his belief that the information ADF&G has gathered with this very important study is going to be groundbreaking in the understanding of this particular pathogen, the interaction now between wildlife and domestic animals, and how to deal with these interactions and the possible transmission of pathogens between the two groups.

7:40:21 PM

REPRESENTATIVE RAUSCHER recalled that previous discussions were looking at roughly 4 percent on the domestic side and 4 percent on the wildlife side as far as those that may have M. ovi. Given the new information, he inquired whether this could be the tip of an iceberg.

DR. GERLACH responded it is very possible. An understanding of some of these pathogens, he explained, is that their prevalence can be dependent on the overall population density of the animals. In an animal population that is widespread and not concentrated, there may be less chance for that pathogen to be spread among those animals if direct contact is needed, and so there would be low prevalence. That would be reflective of what is seen with [Alaska's] domestic animals, because in larger herds or flocks in the Lower 48 there is a larger prevalence, which has been noted by U.S. Department of Agriculture (USDA) studies. The populations in Alaska are smaller and widespread and have a lower incidence, which supports that theory.

DR. GERLACH added that as ADF&G does more testing and evaluation of wildlife it may be found that the prevalence of the M. ovi is less in certain areas where the populations are widespread or there aren't congregation points where the pathogen can be spread. He described it as being similar to what is seen when children are healthy and running around the house but once school starts they are in close connection in a schoolroom and one person with a cold virus spreads it to the others who then bring it home to their families. So, he continued, it is a

density issue with respect to interaction and the ability to spread that pathogen and then the overall prevalence.

[7:42:45 PM](#)

REPRESENTATIVE PARISH asked whether more [test] results would be coming in next week.

DR. GERLACH explained the lab processes the tests in batches, so there can be a slow trickle or lumps of information at a time returned to ADF&G depending on the workload at the laboratories. The process can be slower than some diagnostic laboratories, he said, because after the initial test is run the actual DNA material from the pathogen is collected and sent off to another laboratory where it is genetically sequenced to identify the specific strain of *Mycoplasma ovipneumoniae*.

REPRESENTATIVE PARISH inquired whether, after receiving a few genetic sequences, single nucleotide polymorphisms will be used to estimate how closely related these various strains are and how long they have been present in Alaska's game populations.

DR. GERLACH replied that that is exactly what the scientists working on this hope to identify. They will set up a phylogeny tree to look at relatedness between those. Then they may look at specific gene points for changes or mutations in those gene points to make predictions about how long they may have been in the population, which would give a better idea of the biology of this particular pathogen.

REPRESENTATIVE PARISH said he looks forward to getting an update on that and, if possible, to learning where the source ultimately came from in broad terms, such as from another wild goat or sheep population in the Lower 48 or from domestic stock.

DR. GERLACH responded that result is definitely what ADF&G hopes to obtain in its important work to understand this particular pathogen and its effect on wildlife and domestic populations.

[7:46:21 PM](#)

REPRESENTATIVE BIRCH noted that no Dall sheep or mountain goats have died from this affliction. He observed from the map that a couple of the animals were east of Prudhoe Bay and maybe east of the Arctic National Wildlife Refuge (ANWR) on the North Slope. He asked whether Dr. Gerlach has any ideas given this doesn't

seem to be an area where there would be many domesticated [animals] that could have impacted this population.

DR. GERLACH agreed and added that it looks like this is a very isolated population. He said it will be interesting to see how the strain of *Mycoplasma ovipneumoniae* that is identified in those particular animals relates back to different groups - whether it is different than the group from GMU 26B and GMU 26C and if that is different from what is found in GMU 13. There is much to learn, he continued, including the impact and negative response on a wildlife population and whether there is time to gather and understand this to make appropriate decisions in management. He said it is much easier for him to control and manage a domestic population that is confined and easy to identify and regulate. But management is very complicated when dealing with wildlife where oftentimes populations cannot be totally identified and can be very widespread. He offered his appreciation to ADF&G biologists for their work.

[7:48:51 PM](#)

CO-CHAIR JOSEPHSON inquired whether there are strains of *M. ovi* that are fatal to wild, but not domestic, animals.

DR. GERLACH explained that different strains of *M. ovi* seem to have different virulence factors that make them more likely to cause respiratory infection given the right combination. This respiratory disease is very complex in regard to how it exhibits itself in both wild and domestic animals. Generally a specific set of factors is needed with the mycoplasma as well as other respiratory pathogens present and oftentimes other stressors on the animal's condition, he said. The stressor can be related to genetic susceptibility, population density, nutrition, and to animal concentrations, access to water, and other resources. It makes it very difficult to go ahead since not much is known about this pathogen with respect to other pathogens. For example, Dr. Gerlach continued, the *Pasteurella* bacteria has been studied for 40-100 years in both wild and domestic animals. Certain genes have been identified on these *Pasteurella* that produce certain toxins. One known gene produces toxins that affect the white blood cells and these strains are much more virulent and deadly to animals than the strains that do not have those lipotoxin genes. Not much is known about the whole genomic structure of these mycoplasma, he noted, and this is one reason why ADF&G's study is so critical to understanding and to future management of both the wild and domestic populations.

[7:51:33 PM](#)

REPRESENTATIVE RAUSCHER referred to page 2, first bullet, of the document provided by the Alaska Wild Sheep Foundation, which states that M. ovi is a foreign pathogen not endemic to Alaska wildlife. He asked whether it's possible there is an M. ovi that is endemic to Alaskan wildlife.

DR GERLACH answered he thinks that needs to be considered given the recent identification in remote populations. It needs to be tested in a scientific manner to be able to prove that point. He said it's important to make management decisions for both domestic and wild populations based on fact in science and to not be swayed by fear and emotion. The focus needs to be on what is had at hand and what the understanding is. That is not say there is a guarantee, he added, because no can give a guarantee on dealing with any disease or medical condition as there is always a number of factors involved. By looking at what the impact on the population is now and closely monitoring them, he continued, management decisions can be made that are going to be most effective to the population without causing undue harm or damage to the overall use of that wildlife and domestic resource for the residents of the state of Alaska.

[7:53:39 PM](#)

REPRESENTATIVE TALERICO asked whether Dr. Gerlach is reasonably confident that the strain or strains will be identified in the very near future.

DR. GERLACH replied that strain typing is being done on just one portion of the entire genome or DNA sequence of Mycoplasma ovipneumoniae, so there will be limitations and restrictions in understanding the strain according to that. The only true evaluation of strains occurs when there is whole genomic sequencing and that probably won't happen any time soon. For example, he explained, it was not too long ago that the human genome was totally sequenced, and this took over 10 years of very intense research. Given the understanding of specific portions of the genomic sequence of the M. ovi, he said, experts in this field should be able to make some very good predictions by looking at those comparisons and getting a better understanding of the relatedness to them and the possibility of how long they may have been circulating in these populations.

[7:56:03 PM](#)

CO-CHAIR TARR moved to adopt Amendment 1, labeled 30-LS1434\A.1, Gardner, 3/21/18, which read:

Page 1, line 6, following the first occurrence of "the":

Insert "livestock and"

Page 1, line 13, following "science-based":

Insert "livestock and"

Page 2, line 2, following "to":

Insert "domestic animals and"

REPRESENTATIVE PARISH objected for purposes of discussion.

[7:57:03 PM](#)

CO-CHAIR TARR explained the amendments she is offering to the committee came through working with the Alaska Farm Bureau, Inc. and trying to strike the right balance between the concerns and the potential for growth in Alaska's livestock industry. She noted the title of HCR 23 states, "Supporting enhanced efforts to protect wildlife and domestic animals". However, she continued, domestic animals are not referenced in the WHEREAS clauses. Amendment 1 would add "livestock and" in two places and ["domestic animals and" in one place]. This would ensure that both wild and domestic animals are referenced, she said.

[7:58:16 PM](#)

REPRESENTATIVE PARISH stated he has some trouble with the proposed language of Amendment 1 because he believes the language in the bill on page 2, lines 4-8, and the WHEREAS clause following those lines gets to the purpose of the title. To the specific changes proposed by Amendment 1, he said the bill's present language reads true and stands well on its own. While he personally recognizes the value of domestic animals, he stated, he has trouble diluting the message in this way. Additionally, he continued, he isn't sure it's completely true that the state subscribes to science-based livestock management because fundamentally the entity that manages livestock is private individuals and not the state. Private individuals manage livestock, he added, while wildlife is a common possession that belongs to every Alaskan and it is very appropriate the state manage wildlife in common.

[8:00:41 PM](#)

REPRESENTATIVE TALERICO stated the title of the resolution does refer to both wildlife and domestic animals, but beyond that there is no mention of livestock or domestic animals. It is his dream, he said, that as things advance forward everyone comes to the table to deal with this. Based on his conversations with people on both sides of the issue, he said, it is appropriate there not be a disconnect at any point in the resolution. He doesn't want to see a big divide, he continued, and he supports Amendment 1 because the proposed language is appropriate.

REPRESENTATIVE RAUSCHER said he isn't speaking for or against Amendment 1, but noted the definition of "intrinsic" is eradicable and he is wondering how that fits.

CO-CHAIR JOSEPHSON agreed with Representative Parish's points.

[8:03:19 PM](#)

CO-CHAIR TARR pointed out the state is involved any time that livestock is imported into Alaska and strict safeguards are in place.

REPRESENTATIVE PARISH maintained his objection to Amendment 1.

[8:03:38 PM](#)

A roll call vote was taken. Representatives Rauscher, Talerico, Lincoln, Drummond, Birch, Johnson, and Tarr voted in favor of Amendment 1. Representatives Parish and Josephson voted against it. Therefore, Amendment 1 was adopted by a vote of 7-2.

[8:04:49 PM](#)

CO-CHAIR TARR moved to adopt Amendment 2, labeled 30-LS1434\A.2, Gardner, 3/21/18, which read:

Page 1, following line 9:

Insert a new resolution clause to read:

"WHEREAS Alaska's livestock industry has the greatest potential to provide protein for Alaska's food security; and"

REPRESENTATIVE PARISH objected.

[8:04:58 PM](#)

CO-CHAIR TARR explained that Amendment 2 also came up in her talks with agriculture folks. She reminded members of the enthusiasm it has heard this session specifically for livestock production and noted the budget is being looked at to fund a veterinarian in the Division of Agriculture so the division can do more in that area.

CO-CHAIR TARR moved to adopt a friendly amendment to Amendment 2 as follows:

Delete "the greatest"
Insert "great"

CO-CHAIR TARR explained this friendly amendment would be more accurate and is an effort toward bringing everyone together on this issue.

There being no objection, the friendly amendment to Amendment 2 was adopted. Amendment 2, as amended, read as follows:

WHEREAS Alaska's livestock industry has great potential to provide protein for Alaska' food security, and

[8:06:14 PM](#)

REPRESENTATIVE PARISH stated that the effort throughout [HCR 23] is to pair domestic and wildlife and therefore it would seem appropriate to have some nod to the importance of wild game as a protein source. However, he continued, he doesn't have language drafted to that effect and he doesn't intend to conceptually amend Amendment 2. He offered his appreciation for the friendly amendment and withdrew his objection to Amendment 2.

[8:06:55 PM](#)

CO-CHAIR JOSEPHSON objected to Amendment 2, as amended. He said he is concerned because the overwhelming support he has received was for the resolution as previously written (80 for, 5 against). The support was almost entirely from people concerned about wild sheep populations, he continued, and he is afraid the committee has already lost track of that. Were it another state where there was a robust industry of domestic husbandry of animals he would view this differently and certainly the economy and politics of it would be different. The impetus for HCR 23, he explained, was a real concern for what had happened to wild

populations in the Western states and the amendment takes this away from the resolution. It is arguably a true statement standing alone, he said, but it takes the resolution further away from what was supposed to be principally, but not entirely, on infectious diseases in wildlife.

[8:08:27 PM](#)

REPRESENTATIVE BIRCH agreed with Co-Chair Josephson, sponsor of HCR 23. He said Amendment 2, as amended, takes away from the emphasis. The emphasis and focus of the resolution have been on the wildlife resources more than the domestics, he said, and he will vote no on the amendment.

[8:09:12 PM](#)

CO-CHAIR TARR offered her closing comments on Amendment 2, as amended. If this gets pushed in the direction of one resource over the other, she said, her concern is the history that brought this conversation to the committee, which was an attempt to eliminate the livestock industry from Alaska as a result of concerns. Many things happened at the Board of Game and a working group was formed. She said she wants it to be clear from her perspective that there is a way to do science-based management that can protect both the state's wildlife and domestic animals and allow for growth in this segment of the state's agriculture industry at a time when it is really needed for food security as well as economic opportunity. There is concern from the agriculture side of things, she noted, that these positive test results are not well understood and not clear on where the exposure occurred or how long ago. So far a lot of the pressure has been in the direction of it being a more recent interaction with a domestic animal, but it was heard from the scientists that there is no real evidence of that. She said for these reasons she wants to strive for balance. While the concern is real, she added, it overwhelms the opportunity for livestock folks.

[8:11:16 PM](#)

REPRESENTATIVE RAUSCHER commented that with everything he has been reading and with more information to come forward next week, his thought is that more questions should be asked before going further.

[8:11:55 PM](#)

CO-CHAIR JOSEPHSON maintained his objection.

A roll call vote was taken. Representatives Johnson, Drummond, and Tarr voted in favor of Amendment 2, as amended. Representatives Talerico, Lincoln, Parish, Birch, Rauscher, and Josephson voted against it. Therefore, Amendment 2, as amended, failed by a vote of 3-6.

[8:13:20 PM](#)

CO-CHAIR TARR stated she would not offer Amendment 3.

[8:13:23 PM](#)

CO-CHAIR TARR moved to adopt Amendment 4, labeled 30-LS1434\A.4, Gardner, 3/21/18, which read:

Page 2, lines 9 - 11:

Delete all material and insert:

"BE IT RESOLVED that the Alaska State Legislature encourages agencies to gather information, perform tests, and collect data on infectious diseases, foreign pathogens, and nonendemic parasites in the state to make science-based management decisions to protect the state's wildlife and domestic animals from infectious diseases, foreign pathogens, and nonendemic parasites; and be it"

CO-CHAIR JOSEPHSON objected to Amendment 4 for purposes of discussion.

[8:13:33 PM](#)

CO-CHAIR TARR explained Amendment 4 has the same basic thought as the original bill language, but is a bit more descriptive in that it is more specific in what the enhanced efforts might be. She said it also suggests support for doing the testing, which was brought forward as something the [Alaska] Wild Sheep Foundation supports. The key thing here, she added, is the gathering of information and performing of tests to ensure there aren't inaccurate suggestions about the prevalence of this particular pathogen, its origin, and its potential to cause problems in Alaska's wild populations.

[8:15:15 PM](#)

REPRESENTATIVE PARISH stated his concern with Amendment 4 is that it doesn't speak to preventative measures. For example, he said, he would like to see better buffers between wild populations and domestic populations for many of the same reasons that he is very dubious of fish farming. He wouldn't want to wait necessarily for information to be gathered, tests to be performed, and data collected before saying don't put a fish farm near his backyard. He maintained that Amendment 4 narrows the scope of what goes into protection.

CO-CHAIR TARR offered her appreciation for Representative Parish's concern but said that that is not the intention. The intention is to be more descriptive in terms of what things need to be done. There is strong support for the testing and the data collection, she continued, particularly to understand the distribution and prevalence in the different populations. She suggested a friendly amendment could be offered that says something such as "perform tests, collect data, and consider preventative measures".

REPRESENTATIVE PARISH said he would defer to Co-Chair Josephson or Representative Lincoln.

[8:17:26 PM](#)

CO-CHAIR JOSEPHSON said his concern with Amendment 4 is the deletion of lines 9-11 because of the loss of the notions that were mentioned by Representative Parish about the need to protect the state's wildlife as well. He could support the amendment, he continued, if it were in addition to lines 9-11.

CO-CHAIR TARR related that Representative Lincoln pointed out that the language on page 2, line 17, talks about engaging actions to prevent the spread of those diseases. She asked whether Co-Chair Josephson would like to offer a friendly amendment that would delete the language "Page 2, lines 9-11: Delete all material and insert" and replace it with "Page 2, following lines 9-11 insert".

CO-CHAIR JOSEPHSON deferred to Representative Drummond.

[8:18:42 PM](#)

REPRESENTATIVE DRUMMOND said everything that is in lines 9-11 is included in Amendment 4 except for the words "supports enhanced efforts". The scope of management certainly includes prevention efforts, she continued. Except for the lack of the word

"enhanced" efforts this is a good amendment, she added, and this is just an adjective that says, "Get to work guys". The resolution is telling the agencies what they need to be doing and this amendment enhances that.

CO-CHAIR JOSEPHSON said Representative Drummond's point is well taken and he no longer seeks Co-Chair Tarr's friendly amendment.

[8:20:10 PM](#)

REPRESENTATIVE PARISH maintained his objection to Amendment 4.

[8:20:21 PM](#)

REPRESENTATIVE BIRCH stated the resolution is well intended and the amendment seems fine as well as neutral. He urged that the question be called.

[8:21:27 PM](#)

REPRESENTATIVE TALERICO moved to adopt a conceptual amendment to Amendment 4 as follows:

Line 5, following "science-based management decisions to":

Insert "support enhanced efforts to"

[8:21:53 PM](#)

CO-CHAIR TARR said she considers the conceptual amendment a friendly amendment and has no objection. There being no objection, the conceptual amendment to Amendment 4 was adopted.

[8:22:02 PM](#)

REPRESENTATIVE PARISH withdrew his objection to Amendment 4.

There being no further objection, Amendment 4, as amended, was adopted.

[8:22:28 PM](#)

CO-CHAIR JOSEPHSON moved to report HCR 23, as amended, out of committee with individual recommendations and the accompanying fiscal notes. There being no objection, CSHCR 23 (RES) was reported out of the House Resources Standing Committee.

[8:22:57 PM](#)

The committee took a brief at-ease.

HB 354-DIVE FISHERY ASSESSMENTS

[8:23:53 PM](#)

CO-CHAIR TARR announced that the next order of business would be HOUSE BILL NO. 354, An Act relating to dive fishery management assessment procedures.

[8:24:03 PM](#)

REPRESENTATIVE DAN ORTIZ, Alaska State Legislature, speaking as the sponsor stated that HB 354 would allow the Southeast Alaska Regional Dive Fisheries Association (SARDFA) to rearrange how it does its process of changing its self-assessment taxes. The population of people fishing these permits has been dwindling, he said, and so the participation in the voting process is dwindling as well.

[8:25:17 PM](#)

REPRESENTATIVE PARISH stated he respects any members of an industry who assess upon themselves a tax and therefore he is happy to support a measure to make it more efficient.

REPRESENTATIVE TALERICO thanked Representative Ortiz for his explanation of the bill at the previous hearing. He said he has no objection to the bill.

[8:25:58 PM](#)

REPRESENTATIVE LINCOLN moved to report HB 354 out of committee with individual recommendations and the accompanying fiscal notes. There being no objection, HB 354 was reported out of the House Resources Standing Committee.

[8:26:54 PM](#)

ADJOURNMENT

There being no further business before the committee, the House Resources Standing Committee meeting was adjourned at 8:26 p.m.