

**ALASKA STATE LEGISLATURE
SENATE RESOURCES STANDING COMMITTEE**

January 29, 2024

3:31 p.m.

MEMBERS PRESENT

Senator Cathy Giessel, Co-Chair
Senator Bill Wielechowski, Vice Chair (via teleconference)
Senator James Kaufman
Senator Forrest Dunbar

MEMBERS ABSENT

Senator Matt Claman
Senator Scott Kawasaki
Senator Click Bishop

COMMITTEE CALENDAR

SENATE BILL NO. 190

"An Act relating to big game hunts for persons with physical disabilities; and providing for an effective date."

- HEARD & HELD

PRESENTATION(S): OVERVIEW ALASKA DEPARTMENT OF FISH AND GAME

- HEARD

PREVIOUS COMMITTEE ACTION

BILL: SB 190

SHORT TITLE: BIG GAME HUNTING BY PERSON W/ DISABILITY

SPONSOR(S): RULES BY REQUEST OF THE GOVERNOR

01/18/24	(S)	READ THE FIRST TIME - REFERRALS
01/18/24	(S)	RES
01/29/24	(S)	RES AT 3:30 PM BUTROVICH 205

WITNESS REGISTER

JOE FELKL, Legislative Liaison
Alaska Department of Fish & Game (ADFG)
Juneau, Alaska

POSITION STATEMENT: Provided the sectional analysis for SB 190.

IRA EDWARDS, representing self
Palmer, Alaska

POSITION STATEMENT: Testified in support of SB 190.

LOUIS CUSACK, Executive Director
Safari Club International (SCI)
Chugach, Alaska

POSITION STATEMENT: Testified in support of SB 190.

DOUG VINCENT-LANG, Commissioner
Alaska Department of Fish & Game (ADFG)
Juneau, Alaska

POSITION STATEMENT: Presented SB 190 on behalf of the administration and answered questions.

ACTION NARRATIVE

[3:31:21 PM](#)

CO-CHAIR CATHY GIESSEL called the Senate Resources Standing Committee meeting to order at 3:31 p.m. Present at the call to order were Senators Dunbar, Kaufman, and Co-Chair Giessel. Senator Wielechowski joined via teleconference.

SB 190-BIG GAME HUNTING BY PERSON W/ DISABILITY

[3:32:20 PM](#)

CO-CHAIR GIESSEL announced the consideration of SENATE BILL NO. 190 "An Act relating to big game hunts for persons with physical disabilities; and providing for an effective date."

[3:33:15 PM](#)

DOUG VINCENT-LANG, Commissioner, Alaska Department of Fish & Game (ADFG), presented SB 190 on behalf of the administration and answered questions. He stated that the Alaska Board of Fisheries established a hunt for disabled hunters in Kincaid Park in Anchorage, Alaska. The Department of Law (DOL) thereafter declared there was no statutory framework built into statute to create this type of hunt as established for youth hunts, so it was disallowed. SB 190 would create the statutory foundation to allow the Alaska Board of Fisheries to create a hunt for disabled hunters that meet established criteria for being disabled in state statute. To qualify, a person must be at least 70 percent disabled and accompanied by a licensed hunter capable of retrieving game. It would be a permissive statutory change. Any proposal to establish this type of hunt would need to go through an involved board process, requiring public notice

and public comment. Many other states permit these types of hunts per state statute.

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JOE FELKL, Legislative Liaison, Alaska Department of Fish & Game (ADFG), Juneau, Alaska, provided the sectional analysis for SB 190:

[Original punctuation provided.]

SB 190: BIG GAME HUNTING BY PERSON W/ DISABILITY SECTIONAL ANALYSIS VERSION A

Section 1: amends AS 16.05.255 by adding a new subsection that provides statutory authority for the Board of Game to establish hunts limited to individuals with physical disabilities.

Section 2: transition section to allow the Board of Game to adopt regulations necessary to implement the bill.

Section 3: immediate effective date for section 2.

Section 4: effective date of January 1, 2025, for all other provisions of the bill.

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SENATOR DUNBAR asked if proxy hunting is excluded under the bill's framework.

[3:37:02 PM](#)

COMMISSIONER VINCENT-LANG replied yes, an individual could already proxy hunt under existing rules, but could not proxy hunt under SB 190.

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MR. FELKL added that current board regulations require the individual to meet the 70 percent disability threshold in order to qualify for proxy hunting.

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SENATOR DUNBAR asked if one disabled person could assist another disabled person through proxy hunting.

[3:38:06 PM](#)

MR. FELKL replied that the question may need to be answered by the Alaska Board of Fisheries, but he would seek further information.

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MR. VINCENT-LANG stated his belief that only one is allowed at a time.

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SENATOR DUNBAR said that SB 190 would potentially impact Kincaid Park. The municipality is the landholder and would have to provide consent before the hunt is created. He asked if the ADFG would support the legislature adding clarifying language and he is not sure if that would be about landholders in general or something specific to home ruled municipalities.

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COMMISSIONER VINCENT-LANG said he would prefer to confer with the Department of Law (DOL) in light of existing home rule issues.

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SENATOR DUNBAR invited Mr. Vincent-Lang to work with his office and DOL. Some residents in Anchorage may express concerns about SB 190 limiting community input.

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COMMISSIONER VINCENT-LANG suggested clarifying language stating the bill does not intend to establish hunts in Kincaid Park. There are currently bear hunts in Joint Base Elmendorf-Richardson (JBER) in the municipality of Anchorage, so a broad prohibition would be difficult in managing public safety concerns.

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SENATOR DUNBAR concurred. He said the key difference is that the municipality is not the land holder of JBER territory. There were also concerns voiced about a potential bow hunt in Kingcaid Park.

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COMMISSIONER VINCENT-LANG said there were unsuccessful experiments with bow hunts in Anchorage.

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CO-CHAIR GIESSEL added that the municipality of Fairbanks would have some interest in ensuring no mandates for Creamer's Field territory.

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COMMISSIONER VINCENT-LANG conveyed that there are waterfowl hunts in the Anchorage Coastal Wildlife Refuge area.

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CO-CHAIR GIESSEL clarified that SB 190 pertains to areas beyond Kincaid Park. She asked about past constitutionality concerns previously voiced by one group.

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COMMISSIONER VINCENT-LANG replied that he understands concerns about constitutionality, however, the youth hunt has been in statute for years and has remain unchallenged.

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CO-CHAIR GIESSEL announced invited testimony on SB 190.

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IRA EDWARDS, representing self, Palmer, Alaska, testified in support of SB 190. He has spent years working to create a hunt in Kingcaid Park for physically disabled individuals. The hunt was modeled after Delta Junction's veteran hunt, which SB 190 would also benefit. Alaska is currently the only state prohibiting a hunt for physically disabled people. Last year, DOL determined that a disability hunt, like youth hunts, would require statutory authority. SB 190 would have a statewide effect and allow the board to create disability hunts in Alaska for disabled people who meet statutory definitions and would establish a statewide effect. Anchorage has well-written code regarding the discharge of firearms and permits hunts within the municipality. He expressed appreciation for Governor Dunleavy helping to make this effort possible.

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LOUIS CUSACK, Executive Director, Safari Club International (SCI), Chugiak, Alaska, testified in support of SB 190. SB 190 allows disabled participants the same hunting opportunities as DM795 veterans or Purple Heart recipients. The bill provides an opportunity for Alaska to move forward in the right direction. He reiterated that SB 190 is a statewide bill to allow the opportunity for the hunt to be established. Within hunting regulations, every unit has its own stipulations depending on land ownership and resources.

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CO-CHAIR concluded invited testimony on SB 190.

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CO-CHAIR GIESSEL opened public testimony on SB 190; finding none, she closed public testimony.

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CO-CHAIR GIESSEL held SB 190 in committee.

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CO-CHAIR GIESSEL announced an overview by the Alaska Department of Fish and Game 2023 Yukon Area Summer Season Update."

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COMMISSIONER VINCENT-LANG presented a "2023 Yukon Area Summer Season Update." He said Yukon River fisheries have been suffering for the past several years in Alaska. ADFG is concerned about its impact on food security and cultural and subsistence practices. He attended many public meetings across the state, met with Tanana Chiefs Conference (TCC), and recently participated on Yukon panel meetings to discuss concerns. The pain for these people is real and they are taking steps to address it. He provided an update on the past Yukon fishery season:

There are four salmon stocks in the Yukon region:

1. Summer chum, which primarily occur in Alaskan waters during the summer
2. Chinook salmon, which pass through Alaskan waters; 45 percent pass through Canada so there are treaty obligations to pass fish.
3. Fall chum salmon, which pass through Alaskan waters; 40 percent pass into Canada so there are treaty obligations to pass fish.
4. Coho salmon, which are primarily Alaskan-based

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COMMISSIONER VINCENT-LANG outlined the 2023 pre-season Yukon Fishery outlook. He said that the outlook for Chinook salmon was 62,000 to 104,000 fish with a potential run size far below average, placing the department into precautionary management measures. ADFG developed a set of management measures four to five years ago allowing it to target other fish species to provide subsistence opportunities without catching Chinook

salmon, especially those of Canadian origin. Chinook salmon were at a population of 58,529 in last year's cumulative passage, which was the second lowest ever recorded. These salmon are demonstrating continual poor river performance. ADFG is in talks with the Canadian government and have tasked the Yukon panel to reestablish the salmon population. Ten thousand Chinook salmon passed through the dam on the Yukon River near Whitehorse over a decade ago. Last year, less than one hundred Chinook passed through the dam. He opined that the situation is dire and could place the stocks under the Canadian Species at Risk Act (SARA). He said they are trying to work with Canada so that does not happen, and that Canada is working to take precautionary measures to protect Canadian origin Chinook Salmon. The Summer Chum salmon pre-season outlook was 280 to 900 thousand fish, and the amount was 845 thousand, which met the goal but was lower than anticipated. He said that legislators will hear from people that they want to return to using gill nets, but that is not a foreseeable outcome at this time.

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COMMISSIONER VINCENT-LANG said ADFG has struggled to understand why Chinook salmon have not recovered in the Yukon River. The department plans to study the intercept of Chinook salmon through genetic testing. The numbers do not add up, so there is clearly something occurring within the ocean that is causing poor fish health. Fish are returning in smaller size, younger age, and do not have enough energy to reach Canada waters. Fish are more prone to Ichthyophonous disease as a result of depleted energy levels. The department established a marine science program four to five years ago to study the ocean's effects on fish longevity. The first three months out at sea is critical for marine survival rates.

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COMMISSIONER VINCENT-LANG continued that answers are not easily identifiable given the size of the ocean. The department is working with other parties to study fish location, feeding patterns, and the overlapping of species.

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CO-CHAIR GIESSEL inquired about the effect hatchery fish have on overall salmon health.

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COMMISSIONER VINCENT-LANG replied that hatchery fish competition is a complex issue. There is science on both sides of the argument. ADFG is studying genetic integrity of pink salmon wild

stocks, but final results are not expected for another year-and-a-half. The science on food competition is inconclusive.

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CO-CHAIR GIESSEL asked if he is referring to hatchery releases occurring from territories outside of Alaska, such as China, Korea, Japan, and other foreign countries.

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COMMISSIONER VINCENT-LANG replied that numerous hatchery releases occur from China, Russia, Asia, and other foreign countries. Bering Sea bycatch observations demonstrate primarily Russian-origin chums, at 80 to 85 percent. If these fish are causing food competition with Chinook salmon and wild chum in the Yukon, stopping the bycatch of Chum salmon would halt 80 percent of food sources competing with Chinook salmon.

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COMMISSIONER VINCENT-LANG highlighted the fall season outlook: there was a forecast of 251 thousand Chum salmon and 318 thousand fish passed, which provided optimism in meeting the Canadian treaty obligation despite being the fifth lowest on record. There was an underperformance of Coho salmon as they have demonstrated over the last two years. ADFG established a limited subsistence fishery for fall chum.

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COMMISSIONER VINCENT-LANG added that the marine science program is adding to the understanding of fish run activity. He expressed concerns about the inability for Canada-origin fisheries to rebuild fish populations, which largely impacts the success of Alaskan fisheries. It is in the state's best interest to work with Canada to restore fish stocks.

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SENATOR DUNBAR asked for the list of tools used for improving fishery outcomes.

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COMMISSIONER VINCENT-LANG replied that hatcheries, fish incubation boxes, and habitat restoration efforts are tools used. An opportunity exists to improve the habitat in Canada and work in collaboration on rebuilding projects.

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COMMISSIONER VINCENT-LANG shifted to an update on the Area M Fishery. He stated there was a harvest of 1.2 million chums in

this fishery in 2022, causing concern. The Board of Fisheries met to determine steps forward, comprising debate over the best course of action. The Board settled on a management plan supported by four of seven board members, which established hard caps that would penalize the fishery for exceeding the limit. It also recognized that the fishing industry was in the best position to cooperate to reduce Chum salmon harvesting. Additionally, it closed some areas in waters that had higher probabilities of catching Chum salmon. The harvest was reduced to a limit of around 200 thousand Chum salmon despite some disagreement.

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COMMISSIONER VINCENT-LANG noted that genetic testing demonstrated that a vast majority of fish observed were not of Arctic-Yukon-Kuskokwim (AYK) origin. He said Sockeye salmon harvesting opportunities were voluntarily given up by local residents as a result of population concerns.

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COMMISSIONER VINCENT-LANG spoke to market conditions. For the first time in a long while, he has never seen the conditions affecting the Alaskan salmon market. Currently, the Russian seafood market is competing against the Alaskan wild caught salmon market. Russian fisheries are entering into the Pollock fishery market selling at cut rate prices, impacting the cost of Alaskan salmon. Russia uses cheaper labor than in the United States to fish and process fish, which is affecting Alaskan processors, who are selling or closing plants, and global seafood markets. This year, the administration has only recently realized the urgency of this issue.

In February, the administration will meet with a group of processors and fisherman to determine long and short-term solutions and consider import/export limits on Russian and Chinese seafood products. There is also consideration to challenge the Marine Stewardship Council (MSC) certification of Russian seafood because they don't have any of the same observer programs on their trawler vessels. For example, they don't monitor salmon bycatch in the Bering Sea. Coastal communities in Alaska are highly dependent on fish taxes and would struggle amidst a market collapse, which would result in a tough couple of years. ADFG is working with U.S. Congress to discuss potential agricultural protections for fisheries.

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COMMISSIONER VINCENT-LANG relayed that fisherman and processors have expressed a high level of uncertainty, but ADFG is taking this issue seriously. He does not currently have any recommendations for the legislature but is reviewing potential solutions.

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CO-CHAIR GIESSEL thanked him for the grave overview. She asserted that this problem is directly affecting Alaskan citizens.

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COMMISSIONER VINCENT-LANG added that the issue is not supply, but demand in a competitive worldwide market. He stated that operating costs in Alaska and unfair practices by foreign entities impact the industry. He stated it isn't the supply of fish that is the issue near as much as the price being paid.

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SENATOR DUNBAR referenced a seafood trade expo in Southwestern Europe he heard about from a colleague. He was informed that other European countries with similar labor costs had huge booths and showcased advertisements. In comparison, Alaska had a much smaller booth. He said ASMI's budget has been cut for many years and asked if the state is being outcompeted in its international marketing.

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COMMISSIONER VINCENT-LANG opined that investing in marketing is part of the solution but not the entirety of it. The emphasis on the short-term should be to encourage American citizens to purchase local Alaskan seafood products. The state could seek to prevent foreign competition that comprises an unequal playing field.

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CO-CHAIR GIESSEL said it reminds her of Iceland fish processing which uses every part of the fish, including for skincare products, fish skin lamps, pharmaceuticals, and other uses. However, these developments required innovation from independent companies. She hoped that the state could follow in Iceland's path.

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SENATOR DUNBAR asked if stakeholders and independent fisherman are concerned about over-consolidation of processing in some markets. He suggested that to have the type of innovation

described by Co-Chair Giessel, a number of start-ups are required. There are a relatively limited number of companies that control the market in some parts of Alaska.

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COMMISSIONER VINCENT-LANG replied that it is part of the issue. The approach should be broken up into short-term, medium-term, and long-term benchmarks. He expressed concerns about the high cost required to prepare fisherman for Bristol Bay operations, oftentimes fronted by the processing sector. The sector does not necessarily have the funds to process fish as a result of sales from last year failing to meet goals. He said he believes that for the first time, the state may not have enough fishing power on the water to meet the quota.

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CO-CHAIR GIESSEL asked for the quantity of fish purchased by school districts in the state.

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COMMISSIONER VINCENT-LANG replied that he is unsure of the number. He expressed that the government seeks to ensure Alaskan products reach Alaskan school districts through food distribution systems. A fishery like Bristol Bay Alaska is not designed to involve a small, home-packed processor. Alaska does not have the freezer capacity to store fish on site, so a large volume of the product is moved to China.

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CO-CHAIR GIESSEL suggested that this is a complex issue.

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COMMISSIONER VINCENT-LANG added that when ADFG created the limited-entry permitting system 30-40 years ago, the Bristol Bay fishing boats had one tenth the power of boats. Although boats have far more fishing power, costs have risen and fewer fish are caught due to market conditions. He suggested re-optimizing the numbers of participants in these fisheries at a future date.

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CO-CHAIR GIESSEL noted that it raises the question about foreign-owned fishing boat permits.

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There being no further business to come before the committee, Co-Chair Giessel adjourned the Senate Resources Standing Committee meeting at 4:23 p.m.