

**ALASKA STATE LEGISLATURE
HOUSE RESOURCES STANDING COMMITTEE**

March 26, 2025

1:02 p.m.

MEMBERS PRESENT

Representative Robyn Niayuq Burke, Co-Chair
Representative Maxine Dibert, Co-Chair
Representative Carolyn Hall
Representative Donna Mears
Representative Zack Fields
Representative Dan Saddler
Representative George Rauscher
Representative Julie Coulombe
Representative Bill Elam

MEMBERS ABSENT

All members present

COMMITTEE CALENDAR

HOUSE BILL NO. 140

"An Act establishing the Department of Agriculture; relating to the establishment of the Department of Agriculture; transferring functions of the Department of Natural Resources related to agriculture to the Department of Agriculture; and providing for an effective date."

- HEARD & HELD

HOUSE BILL NO. 93

"An Act changing the residency requirements for hunting, trapping, and sport fishing privileges; and providing for an effective date."

- MOVED HB 93 OUT OF COMMITTEE

PREVIOUS COMMITTEE ACTION

BILL: HB 140

SHORT TITLE: CREATE DEPARTMENT OF AGRICULTURE

SPONSOR(S): LABOR & COMMERCE

03/17/25 (H) READ THE FIRST TIME - REFERRALS

03/17/25 (H) RES, FIN
03/26/25 (H) RES AT 1:00 PM BARNES 124

BILL: HB 93

SHORT TITLE: RESIDENCY REQ: HUNTING, TRAPPING, FISHING

SPONSOR(s): HIMSCHOOT

02/10/25 (H) READ THE FIRST TIME - REFERRALS
02/10/25 (H) FSH, RES
02/18/25 (H) FSH AT 10:00 AM GRUENBERG 120
02/18/25 (H) Heard & Held
02/18/25 (H) MINUTE(FSH)
02/22/25 (H) FSH AT 11:00 AM GRUENBERG 120
02/22/25 (H) Moved HB 93 Out of Committee
02/22/25 (H) MINUTE(FSH)
02/24/25 (H) FSH RPT 4DP 1NR
02/24/25 (H) DP: KOPP, EDGMON, HIMSCHOOT, STUTES
02/24/25 (H) NR: VANCE
03/12/25 (H) RES AT 1:00 PM BARNES 124
03/12/25 (H) Scheduled but Not Heard
03/14/25 (H) RES AT 1:00 PM BARNES 124
03/14/25 (H) Heard & Held
03/14/25 (H) MINUTE(RES)
03/21/25 (H) RES AT 1:00 PM BARNES 124
03/21/25 (H) -- MEETING CANCELED --
03/26/25 (H) RES AT 1:00 PM BARNES 124

WITNESS REGISTER

REPRESENTATIVE ZACK FIELDS

Alaska State Legislature

Juneau, Alaska

POSITION STATEMENT: As prime sponsor, introduced HB 140.

AMY SEITZ, Policy Director

Alaska Farm Bureau

Soldotna, Alaska

POSITION STATEMENT: Presented a PowerPoint regarding the creation of the Alaska Department of Agriculture.

JASON LESSARD, Executive Director

Alaska Mariculture Alliance

Anchorage, Alaska

POSITION STATEMENT: Discussed the mariculture industry and explained that Alaska Mariculture Alliance (AMA) does not have an official stance on HB 140.

RENA MILLER, Special Assistant to the Commissioner
Department of Natural Resources
Anchorage, Alaska

POSITION STATEMENT: Answered questions regarding HB 140.

DAVID EGELSTON, representing self
Thorne Bay, Alaska

POSITION STATEMENT: Testified in support of HB 93.

NICHOLAS ORR, representing self
Juneau, Alaska

POSITION STATEMENT: Provided background and answered questions regarding HB 93.

JEN LEAHY, representing self
Anchorage, Alaska

POSITION STATEMENT: Testified in support of HB 93.

REPRESENTATIVE HIMSCHOOT
Alaska State Legislature
Juneau, Alaska

POSITION STATEMENT: As prime sponsor of HB 93, gave introductory remarks and answered questions.

THATCHER BROUWER, Staff
Representative Himschoot
Alaska State Legislature
Juneau, Alaska

POSITION STATEMENT: Provided clarification regarding hunting, fishing, and trapping license certification.

BRYAN BARLOW, COLONEL, Director
Alaska Wildlife Troopers
Department of Public Safety
Anchorage, Alaska

POSITION STATEMENT: Answered questions regarding hunting, fishing, and trapping license certification.

ACTION NARRATIVE

[1:02:53 PM](#)

CO-CHAIR BURKE called the House Resources Standing Committee meeting to order at 1:02 p.m.

Representatives Elam, Coulombe, Fields, Rauscher, Saddler, Hall, Mears, Dibert, and Burke were present at the call to order.

HB 140-CREATE DEPARTMENT OF AGRICULTURE

[1:03:31 PM](#)

CO-CHAIR BURKE announced that the first order of business would be HOUSE BILL NO. 140 "An Act establishing the Department of Agriculture; relating to the establishment of the Department of Agriculture; transferring functions of the Department of Natural Resources related to agriculture to the Department of Agriculture; and providing for an effective date."

[1:04:02 PM](#)

REPRESENTATIVE ZACK FIELDS, Alaska State Legislature, introduced HB 140 and summarized why he supported the formation of a Department of Agriculture using the legislative process rather than an executive order. He explained that there was a lot of support among legislators for creating a Department of Agriculture through legislation.

[1:04:51 PM](#)

AMY SEITZ, Policy Director, Alaska Farm Bureau, explained that she was speaking from the position of the Alaska Farm Bureau, and represented their support of HB 140. She began her presentation, titled "Alaska Department of Agriculture, Prioritizing a strong industry" [hard copy included in the committee packet]. She moved to slide 2, titled "Mission and Vision," which read as follows [original punctuation provided]:

Support, promote and encourage development of an agriculture and mariculture industry in Alaska that is viable, profitable and sustainable.

Promote an economically stable agriculture and mariculture industry for Alaska that can enhance the quality of life for its people, create sustainability of its communities and environment, and encourages new business development opportunities for all Alaskans.

She emphasized the importance of building the agricultural industries for the betterment of Alaska.

[1:06:19 PM](#)

MS. SEITZ moved to slide 3, titled "Goals," which read as follows [original punctuation provided]:

- Increase production
- Market development - promote buying local at all market levels
- Increase economic viability in all types and sizes of farm & food businesses
- Improve transportation system
- Improve food security
- Assist with expanding infrastructure
- Increase access to capital
- Expand support programs statewide
- Improve access to and protect lands and waters suitable for farming

She explained that these goals were in place with the existing division as well as for the mariculture industry. She referenced the work of the food security task force, the legislative food strategy task force, the mariculture task force, and the 2009 Division of Agriculture strategic plan. She pointed out that a basic framework was in place for building a strong agriculture industry.

[1:07:44 PM](#)

MS. SEITZ moved to slide 4, titled "Strategic Plan for Moving Forward," which showed a photo of some incredibly adorable goats looking through a barn window. She advanced to slide 5, titled "Department Focus, Focus on in-state production," which read as follows [original punctuation provided]:

- Department of Agriculture ✓
- Department of Agriculture and Fish ✗
- Department of Food Security ✗

She pointed out that the name of the new department is not as important as what it accomplishes, but a name would provide focus. She discussed the merits of three possible names, emphasizing the need to focus on the cultivation aspect of the food industry. If the department was named the Department of Agriculture and Fish, the greater emphasis might be on fish rather than agriculture. If the name became the Department of Food Security, it would leave out non-food farms such as peony farms which have a world market.

[1:11:17 PM](#)

MS. SEITZ proceeded to slide 6, titled "Alaska Department of Agriculture Organization Chart," which showed one possible framework for the new department based on a white paper created by the Alaska Food Strategy Task Force. She explained that the organizational chart was theoretical at the time, but it provided a basis for discussion. She reiterated the importance of having a commissioner who would be focused on the needs of Alaska agriculture.

[1:13:12 PM](#)

MS. SEITZ moved to slide 7, titled "Program Expansion," which read as follows [original punctuation provided]:

- Market Development
- Grants and Loans
- Lands and Waters
- Inspection Services
- Alaska FFA
- Mariculture

Increased staff capacity & program funding = increased reach, resources and ability to build industry

Details in Department of Agriculture White Paper

She discussed the proposed program expansion and described the potential positive results. For example, outside funding would become available; education and outreach could be expanded; there would be a broader reach around the state specifically in rural communities; and the focus on land would be increased to include water for mariculture.

[1:17:27 PM](#)

MS. SEITZ showed slide 8, titled, "Do we really need a Department?" which showed a photo of peonies and proceeded to slide 9, titled "Momentum + Support = Greater Success," which showed census data comparing information on Alaska agriculture from 1982, 2002, and 2022 regarding the number of farms, cropland harvested, the value of crops sold, and cut flowers and floral greens.

[1:18:45 PM](#)

MS. SEITZ responded to questions from Representative Coulombe and Representative Rauscher regarding whether the numbers included farms which cultivated marijuana or hemp, explaining that it was not listed as one of the crops in the agricultural census report.

[1:20:16 PM](#)

MS. SEITZ, in response to a question from Representative Elam, said she would provide a line item of what crops were included in the agriculture division's census.

[1:21:09 PM](#)

MS. SEITZ proceeded to slide 10 which continued the topic, titled "Momentum + Support = Greater Success." It showed a chart comparing the operating budgets for the years 2005, 2010, 2015, 2020, 2024, and the funding proposed for 2025. She suggested that Alaska agriculture receives insufficient resources, and it has had a negative effect. She commented that attempts to build a stronger division have not seemed to work and that a department will work better.

[1:24:39 PM](#)

MS. SEITZ responded to a question from Representative Raucher who referred to the types of funding outlined on slide 9. She moved to slide 11 which read as follows [original punctuation provided]:

Division of Agriculture
Underfunded = low capacity
Low priority in department
Efforts to start agriculture not build

Department of Agriculture
Brings focus and priority
Cabinet-level voice
Greater opportunity to build industry

Pointed out the comparisons on slide 11, highlighting how a department of agriculture would be in a better position to assist with emergencies or disasters. A commissioner of agriculture would help prioritize Alaska agriculture on a state and national level.

[1:31:45 PM](#)

MS. SEITZ responded to a question from Representative Saddler regarding whether the farming community supported the Department of Agriculture being created through an executive order or through the legislative process. She explained that creating the department is more important than how it is created.

[1:32:59 PM](#)

MS. SEITZ, in response to a question from Representative Elam regarding fish farming, stated that the farm bureau was not taking a position on that issue.

[1:34:07 PM](#)

REPRESENTATIVE FIELDS addressed the topic of fish farming raised by Representative Elam. He described the primary differences between hatchery fish and fish farming, pointing out the statutory prohibition on fin fish farming. He said that he supported having mariculture in the new department, but he did not see a reason to move some of the functions of the Alaska Department of Fish & Game (ADF&G) to the agriculture department.

[1:38:23 PM](#)

CO-CHAIR BURKE opened invited testimony on HB 140.

[1:38:53 PM](#)

JASON LESSARD, Executive Director, Alaska Mariculture Alliance, explained that the mission of the Alaska Maricultural Alliance (AMA) was to develop and support a stable and robust maricultural industry for the long-term benefit of Alaska's economy, environment, and communities. He described how the marine shellfish and aquatic plant industry can diversify the economy, create opportunities, address food security issues, help filter seawater, and create habitat for aquatic species such as shrimp. He also discussed how aquatic plants can be used as fertilizer, replacing reliance on harsher chemicals. He explored the history of support for mariculture and commented on the diverse groups encompassed by AMA. He acknowledged that mariculture is a nascent industry, and developing guidelines and regulations would be an ongoing process. He said that the AMA is interested in a department of agriculture but does not have an official stance. There was a preference for legislation rather than an executive order because AMA could be involved in the process.

[1:45:59 PM](#)

MR. LESSARD, in response to several questions from Representative Mears, explained that AMA has worked with the Department of Natural Resources (DNR) and ADF&G. He described how mariculture overlaps with those departments.

[1:47:57 PM](#)

MR. LESSARD responded to a question from Representative Rauscher, explaining that it was his understanding that an executive order was simply an up and down vote which would make it more difficult for AMA to provide input, whereas the legislative process allows groups and individuals to be engaged in the process.

[1:49:24 PM](#)

MR. LESSARD addressed several questions from Representative Coulombe, acknowledging that mariculture was not mentioned in HB 140 at that time, and that AMA also worked with the Alaska Department of Environmental Conservation.

[1:50:50 PM](#)

REPRESENTATIVE COULOMBE referenced an apparent shift in the bill to take powers from the Board of Agriculture and give them to the commissioner.

REPRESENTATIVE FIELDS explained that eliminating the board is not the intent. He commented that one of the reasons for putting forth the bill was to provide a means for addressing different issues. He gave the example of determining whether mariculture should be included with agriculture.

[1:52:16 PM](#)

RENA MILLER, Special Assistant to the Commissioner, Department of Natural Resources, explained that HB 140 was not DNR's bill, so she could not address questions of intent. However, she explained that the bill would redirect the communications flow. The bill would direct communications through the commissioner because the commissioner would become the executive director of the Board Of Agriculture & Conservation.

[1:53:53 PM](#)

MS. MILLER responded to a question from Representative Elam regarding the structure of the proposed department, explaining that neither the executive order (EO) nor HB 140 created a specific structure beyond creating the position of commissioner. The structure would be determined through the fiscal note.

[1:55:04 PM](#)

REPRESENTATIVE FIELDS addressed several questions posed by Representative Saddler regarding why he supported legislation rather than supporting EO 136. He explained that he supported the creation of a department of agriculture, but he posited that a more robust structure would result from the legislative process because of the opportunity to propose changes. He pointed out the suggested department structure starting on page 13 of the Food Strategy Task Force report.

[1:57:54 PM](#)

REPRESENTATIVE FIELDS responded to several questions from Representative Coulombe regarding how the department would be paid for. He suggested that the permanent fund dividend (PFD) would be zero dollars within several years, and he would support the permanent fund as a funding source for a department of agriculture. However, he wanted to honor the will of the committee in this matter.

[1:59:45 PM](#)

MS. MILLER reviewed the fiscal notes, noting that there were three because the current division of agriculture would be moved completely to the new department. One fiscal note was from the agriculture development allocation which would take their budget and their staff and move them to the new department. The second note is from the plant materials center allocation that would also move budget and staff to the new department. The new note would move those budgets into the new department. That fiscal note was indeterminate because it would depend on how the committee and the legislature would staff and resource the new department.

[2:01:06 PM](#)

MS. MILLER responded to a question from Representative Saddler regarding whether a department created by HB 140 would operate differently than a department created by executive order. She

stated her understanding that regardless of how a department was created, once it is in statute, the legislature could amend the statute as it sees fit.

[2:01:57 PM](#)

REPRESENTATIVE MEARS agreed with Representative Coulombe's concern regarding funding for a new department. She pointed out that the fiscal issues might mean providing additional support within the current division rather than support for a new department.

[2:03:09 PM](#)

REPRESENTATIVE COULOMBE explained that her previous support for the EO was because the fiscal note was zero. She reiterated her concern regarding using the permanent fund for the agriculture department because using the dividend as a funding source has been presented as a solution for a number of other cases, also. She posited that the size of the fiscal note might cause the bill to fail. She would like to see a smaller fiscal note and potentially a smaller department.

[2:04:27 PM](#)

REPRESENTATIVE FIELDS stated his belief that there would be more oil revenue within a few years and said he agreed with Representative Coulombe's suggestion for a phased approach.

[2:04:45 PM](#)

CO-CHAIR BURKE announced HB 140 would be held over.

[2:04:53 PM](#)

The committee took an at-ease from 2:04 p.m. to 2:05 p.m.

[2:05:56 PM](#)

HB 93-RESIDENCY REQ: HUNTING, TRAPPING, FISHING

[2:06:00 PM](#)

CO-CHAIR BURKE announced that the next order of business would be HOUSE BILL NO. 93, "An Act changing the residency

requirements for hunting, trapping, and sport fishing privileges; and providing for an effective date."

[2:06:20 PM](#)

CO-CHAIR BURKE opened public testimony on HB 93

[2:06:46 PM](#)

DAVID EGELSTON, representing self, stated that he strongly supported HB 93, explaining that it would tighten up the loopholes that allow possibly thousands of people to improperly claim residency in Alaska. Communities in Southeast Alaska see people come from out of state and buy property, get a post office box, and call it a permanent residence so they can run subsistence long lines for halibut, net fish, and hunt big game, taking advantage of the more liberal bag limits for Alaska residents. In one community on Prince of Wales Island, he estimated these "fake residents" to be almost 50 percent. If these people were to buy non-resident licenses, the ADF&G revenue would be greatly increased, and fish and game populations would be more available to Alaska residents. He pointed out that rural subsistence users struggle to deal with the effects of climate change, and limiting the take of these non-residents would leave more animals and fish for subsistence use.

[2:09:17 PM](#)

NICHOLAS ORR, representing self, provided background regarding permits of federally qualified hunters, characterizing it as a rural versus urban issue. He summarized the federal system and the state system as it pertained to hunting and fishing. He also expressed his opinion that there was some small town settling of scores involved with this legislation. He answered questions from Representative Saddler and Representative Fields regarding the definition of federally qualified status and whether the organizations he is associated with support the bill.

[2:15:36 PM](#)

JEN LEAHY, representing self, expressed support for HB 93. She explained that her family relies on fish and wildlife resources for subsistence and personal use. She described the changes she and her partner have seen over the past 20 years in terms of decreased abundance and increased competition for resources.

She stated her belief that the best way to avoid user conflicts is to ensure that the harvest limits allowed for Alaskans are being utilized only by Alaska residents. She saw HB 93 as a tool for corrective action, pointing out that the definition of residency was too broad and difficult to enforce, but the legislation would create additional barriers for non-residents. She said she valued the role that non-residents hunters and anglers play in the outdoor recreation economy but supported using the PFD requirement as a means of defining residency.

[2:19:00 PM](#)

CO-CHAIR BURKE, after ascertaining there was no one else who wished to testify, closed public testimony.

[2:19:18 PM](#)

REPRESENTATIVE RAUSCHER moved to adopt Amendment 1 to HB 93, labeled 34-LS0058\N.2, Bullard, 3/17/25, which read as follows:

Page 2, line 2:

Delete "was absent only"

Insert "(A) was absent"

Page 2, line 3, following "AS 43.23.008;":

Insert "or

(B) holds a permanent identification card issued under AS 16.05.400(b) and was absent providing care for a family member who is ill;"

Page 2, line 15:

Delete "was absent only"

Insert "(A) was absent"

Page 2, line 16, following "AS 43.23.008;":

Insert "or

(B) holds a permanent identification card issued under AS 16.05.400(b) and was absent providing care for a family member who is ill;"

[2:19:26 PM](#)

CO-CHAIR BURKE objected for the purposes of discussion.

[2:19:35 PM](#)

REPRESENTATIVE RAUSCHER explained that Amendment 1 would add an allowance to the PFD exemption list that would permit an individual to exceed the 90- or 45-day extension if the absence was for the purpose of providing care to a family member who was ill.

[2:23:07 PM](#)

REPRESENTATIVE RAUSCHER responded to concerns expressed by Representative Saddler and Representative Mears regarding what they perceived as the meaning of "ill" and "providing care" to be too vague. On the issue of how to calculate the number of allowable days, he explained the primary purpose was to close a loophole. Regarding a related concern, he explained it is not about setting a clock but rather says an individual has met the reason for being exempt.

[2:26:28 PM](#)

REPRESENTATIVE HIMSCHOOT, Alaska State Legislature, addressed the concerns raised by committee members and described the excused absences defined by the PFD statute. She suggested that for the handful of people not covered by the PFD language, a change in the dividend statute would ensure that HB 93 aligned with the PFD statute. She reminded the committee that the bill had a full year before its effective date to allow people to maintain their residency.

[2:28:44 PM](#)

CO-CHAIR BURKE maintained her objection.

[2:28:52 PM](#)

A roll call vote was taken. Representatives Coulombe, Rauscher, Saddler, and Elam voted in favor of Amendment 1 to HB 93. Representatives Fields, Hall, Mears, Dibert, and Burke voted against it. Therefore, Amendment 1 failed to be adopted by a vote of 5-4.

[2:29:33 PM](#)

REPRESENTATIVE DIBERT moved to report HB 93, work order 34-LS0058\N out of committee with individual recommendations and the attached zero fiscal note.

[2:29:51 PM](#)

The committee took an at-ease from 2:29 p.m. to 2:31 p.m.

[2:31:08 PM](#)

REPRESENTATIVE COULOMBE objected for the purpose of discussion. She pointed out that an application for a permit requires extensive answers to questions, and she did not understand why the wildlife troopers would question the permit in the field. She followed that question by asking whether the questions on the application would change if this bill was adopted, and if so, would the wildlife troopers stop questioning the validity of permits.

[2:32:23 PM](#)

REPRESENTATIVE HIMSCHOOT explained that spot checking includes determining whether a person has a license and also determining whether a person is under resident or non-resident rules.

[2:33:17 PM](#)

THATCHER BROUWER, Staff, Representative Himschoot, Alaska State Legislature, clarified that with a regular fish and game license or a trapping license, the applicant self-certifies. The application has a series of questions, and the troopers would ensure that a person was honest when they filled out the application.

[2:34:00 PM](#)

REPRESENTATIVE HIMSCHOOT responded to Representative Coulombe's question regarding how to determine whether a license-holder was honest. She explained that the troopers asked a number of questions including the license-holder's domicile, and if the troopers suspected a problem, they would follow up on-line.

[2:34:50 PM](#)

BRYAN BARLOW, COLONEL, Director, Alaska Wildlife Troopers, Department of Public Safety, answered questions regarding hunting, fishing, and trapping license certification. In response to questions posed by Representative Coulombe, he explained that the licenses were applied for and received from ADF&G. It was assumed that the information received is accurate, and the license is issued based on that information. It has been common for the troopers to contact license-holders

in the field and ask questions as part of normal enforcement efforts. Verifying residency is part of the process, and if issues come up during the conversations, the department follows up later and might initiate a residency investigation. Otherwise, the wildlife troopers have been dependent on tips or information coming from other entities. Such investigations are very time intensive. Because the licenses are issued by ADF&G, the Department of Public Safety is not part of the verification process. In addition, troopers in the field may see cues or factors that indicate a person who claims a residence license might not be a resident, and the department will follow up.

[2:38:45 PM](#)

REPRESENTATIVE HIMSCHOOT pointed out that licenses are mostly online now, but they are also sold in convenience stores and on board charter boats so that they are convenient for to purchase.

[2:40:00 PM](#)

COLONEL BARLOW responded to a question from Representative Coulombe regarding the number of residency investigations they conducted, explaining that they conducted approximately 118 residency investigations a year. He explained that he did not have the information at that time regarding how many of those were "forever licenses."

[2:40:31 PM](#)

COLONEL BARLOW addressed a question posed by Representative Rauscher by explaining that the troopers would assume a license is legitimate and has been obtained legitimately until they received or encountered cues, information, or statements that led them to believe that might not be the case. Then there would be a residency investigation which weighs factors from multiple sources and databases. Unless a trooper finds information on-scene that shows the license-holder is not an Alaska resident, that individual could continue to hunt, fish, or trap until the residency investigation is complete.

[2:44:46 PM](#)

COLONEL BARLOW, in response to a question from Representative Mears, explained that although the department was neutral on this legislation, the proposed law would make determining residency more succinct.

[2:47:35 PM](#)

REPRESENTATIVE COULOMBE explained that she did not support the bill but removed her objection.

[2:48:12 PM](#)

CO-CHAIR BURKE announced that there being no objection, HB 93 was reported out of committee.

The committee took an at-ease from 2:48 p.m. to 2:52 p.m.

[2:52:21 PM](#)

[CO-CHAIR BURKE clarified that there being no objection, HB 93 was reported out of the House Resources Standing Committee with individual recommendations and the accompanying fiscal notes.]

[2:52:52 PM](#)

ADJOURNMENT

There being no further business before the committee, the House Resources Standing Committee meeting was adjourned at 2:52 p.m.