

HB

216:5

SENATE COMMITTEE REPORT

FURTHER:

5/16/87

DATE TURNED INTO OFFICE 5/17/87

Mr. President:

FINANCE

Committee considered HB 216

game farming

and recommended:

replace with CS FOR _____) same title
 or adopt Senate CS FOR HB 216 (RIS)) new title

attached amendment(s) and

do pass

do not pass

no recommendation

individual recommendations

further referral to _____

letter of intent adopted _____

Committee attached or adopted fiscal note(s)

new updated or previous
 zero fiscal impact

MEMBERS SIGNING DO PASS

OTHER RECOMMENDATIONS

[Signature]
[Signature]
[Signature]
[Signature]
[Signature]
[Signature]

[Signature] DO PASS
Chairman signature and recommendation

Committee Backup Attached

STATE OF ALASKA 1987 LEGISLATIVE SESSION
FISCAL NOTE

REQUEST: _____

Bill Version: HB 216
Publish Date: HOUSE 2/27/87

Revision Date: _____

Agency Affected: Fish and Game

Title: An Act relating to game farming

BRU: Game

Sponsor: Larson and Menard

Components: _____

Requestor: _____

EXPENDITURES/REVENUES: (Thousands of Dollars)

| OPERATING | FY 87 | FY 88 | FY 89 | FY 90 | FY 91 | FY 92 |
|-------------------|-------|-------|-------|-------|-------|-------|
| PERSONAL SERVICES | | | | | | |
| TRAVEL | | | | | | |
| CONTRACTUAL | | | | | | |
| SUPPLIES | | | | | | |
| EQUIPMENT | | | | | | |
| LAND & STRUCTURES | | | | | | |
| GRANTS, CLAIMS | | | | | | |
| MISCELLANEOUS | | | | | | |
| TOTAL OPERATING | | | | | | |

| | | | | | | |
|---------|--|--|--|--|--|--|
| CAPITAL | | | | | | |
|---------|--|--|--|--|--|--|

| | | | | | | |
|---------|--|-----|-----|-----|-----|-----|
| REVENUE | | 1.0 | 1.0 | 1.1 | 1.2 | 1.2 |
|---------|--|-----|-----|-----|-----|-----|

FUNDING: (Thousands of Dollars)

| | | | | | | |
|---------------|--|--|--|--|--|--|
| GENERAL FUND | | | | | | |
| FEDERAL FUNDS | | | | | | |
| OTHER | | | | | | |
| TOTAL | | | | | | |

POSITIONS:

| | | | | | | |
|-----------|--|--|--|--|--|--|
| FULL-TIME | | | | | | |
| PART-TIME | | | | | | |
| TEMPORARY | | | | | | |

ANALYSIS : (Attach a separate page if necessary) Indications are that approximately 50-60 people are presently farming birds without a valid license. Assumes most of these people (40) would buy a license if fee were lower and that an additional 20 people who presently do not farm birds because fee is too high would buy license and farm birds. Biennial revenues would be \$1,200--presently they are \$200.

Prepared by: Lew Pamplin, Director Phone: 465-4190
Division: Game Date: 4/24/87

Approved by Commissioner: Donna Pellensworth Date: 4-24-87
Agency: Fish and Game

Distribution (by preparer):

- Legislative Finance
- Legislative Sponsor
- Requestor
- Office of Management and Budget
- Impacted Agency(ies)
- Senate Secretary

Original sponsors: Larson and Menard

1 IN THE HOUSE BY THE RESOURCES COMMITTEE
2 SENATE CS FOR HOUSE BILL NO. 216 (Resources)
3 IN THE LEGISLATURE OF THE STATE OF ALASKA
4 FIFTEENTH LEGISLATURE - FIRST SESSION
5 A BILL

6 For an Act entitled: "An Act relating to game farming."

7 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

8 * Section 1. AS 03.05.010(a) is amended to read:

9 (a) The commissioner of natural resources shall

10 (1) direct, administer, and supervise promotional and
11 experimental work, extension services, and agricultural projects for
12 the purpose of promoting and developing the agricultural industry
13 within the state including such fields as horticulture, dairying,
14 cattle raising, fur farming, grain production, vegetable production,
15 and development of other agricultural products;

16 (2) procure and preserve all information pertaining to the
17 development of the agricultural industry and disseminate that informa-
18 tion to the public;

19 (3) assist prospective settlers and others desiring to
20 engage in the agricultural industry in the state with information
21 concerning areas suitable for agriculture and other activities and
22 programs essential to the development of the agricultural industry in
23 the state;

24 (4) review the marketing, financing, and development of
25 agricultural products inside the state including transportation, with
26 special emphasis upon local production, and negotiate for the market-
27 ing of agricultural products of the state with federal and state
28 agencies operating in the state; [AND]

29 (5) regulate and control the entry into the state and the

1 transportation, sale, or use inside the state of plants, seeds, vege-
2 tables, fruits and berries, nursery stock, animal feeds, remedies and
3 mineral supplements, fertilizers, and agricultural chemicals in order
4 to prevent the spread of pests, diseases, or toxic substances injuri-
5 ous to the public interest, and to protect the agricultural industry
6 against fraud, deception and misrepresentation; in this connection the
7 commissioner may require registration, inspection, and testing, and
8 establish procedures and fees; and

9 (6) regulate the farming of elk in a manner similar to the
10 manner in which the commissioner regulates domestic animals and live-
11 stock, to the extent that is appropriate.

12 * Sec. 2. AS 03.05.011 is amended by adding a new subsection to read:

13 (b) The commissioner of environmental conservation shall regu-
14 late the farming of elk in a manner similar to the manner in which the
15 commissioner regulates domestic animals and livestock, to the extent
16 that is appropriate.

17 * Sec. 3. AS 16.05 is amended by adding a new section to read:

18 Sec. 16.05.331. ELK FARMING. (a) Elk may be raised and bred as
19 domestic stock for commercial purposes, including the sale of meat, by
20 a person who lawfully owns the elk and who holds a current valid game
21 mammal farming license.

22 (b) The department may issue a game mammal farming license for
23 the farming of elk to a person who applies on a form provided by the
24 department, pays the fee established under AS 16.05.340, and who
25 proves to the satisfaction of the department that the person

26 (1) intends to raise and breed elk; and

27 (2) possesses facilities for maintaining the elk under
28 positive control.

29 (c) Notwithstanding other provisions of law, a license or permit

1 from the department, other than a game mammal farming license, is not
2 required in order to import, export, or possess elk for the purpose of
3 elk farming. A live elk may not be captured from the wild or released
4 into the wild without an appropriate license or permit from the
5 department.

6 (d) Elk imported, exported, or possessed for the purpose of elk
7 farming are subject to the provisions of AS 03 and regulations adopted
8 under AS 03 by the commissioner of natural resources or the commis-
9 sioner of environmental conservation for domestic animals and live-
10 stock, to the extent they are made applicable to elk by the commis-
11 sioners.

12 (e) In this section, "lawfully owns" means ownership that was
13 obtained without violating a state or federal law or regulation, or a
14 condition of a license or permit issued with respect to game.

15 * Sec. 4. AS 16.05.340(a)(14) is amended to read:

16 (14) Fish [OR GAME] farming biennial license..... 200

17 * Sec. 5. AS 16.05.340(a) is amended by adding a new paragraph to read:

18 (18) Game farming:

19 (A) Game mammal or game reptile farming biennial
20 license 200

21 (B) Game bird farming biennial license 20

1 IN THE HOUSE

BY LARSON AND MENARD

2

HOUSE BILL NO. 216

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

FIFTEENTH LEGISLATURE - FIRST SESSION

5

A BILL

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ALASKA GAMEBIRD ASSOCIATION



April 18, 1987

Dear Representative.

We have been working on the issue of the Gamebird Farming License since June of 1985. It was at that time that Phil Koehl, a game biologist in the Commissioner's office at Juneau, made us aware of AS 16.05.330~~330~~340(14)a. which requires that a Game Farming License for a biennialeal fee \$200.00 must be purchased for the business of breeding, propagating, raising, or producing of gamebirds in captivity, for the purpose of marketing gamebirds or their products.

The business/and or hobby of propagating gamebirds has been popular in the U.S.A. since the turn of the century. I have seen a marked and steady increase of people raising gamebirds in Alaska, during the last 5 years, you would be surprised at the numbers!

A pair of Quail costs approximately \$10.00 on the Alaskan market. The License to breed them or propagate and raise up their chicks costs \$200.00 biennialeal, plus a Business License of \$25.00 a year. This statute, as written in 1957, is cost prohibative to the raising and propagating of upland gamebirds and waterfowl today.

Another point, on viewing the Gamebird Industry in Alaska is that, being isolated from the other states as we are, this business is completely state-efficient. Birds climatized to our state weather produce a stronger, well-feathered chick. The off-spring, either eggs or chicks, must be housed and fed properly. This perpetually stimulates the economy of Feed Stores, Hardware Suppliers, Building Suppliers where wire and lumber and additional materials are purchased.

House Bill 216 would change the amount of money people would have to pay for selling gamebirds in Alaska. We feel \$250.00 every two years is far to much for every gamebird breeder/and or hobbyist to pay. If House Bill 216 becomes law it shouldn't substantially reduce the gross receipts to the General Fund, nor should the costs of administering the license exceed the licensing revenue. The costs of administering the Game Licensing program are minimal and will remain that way. The only costs to the State is the time and material necessary to issue the license. Data needed for a Game Farming License required by statute are as follows: Name, Address, Phone, Physical Location, Applicant Description, Years of Residency, Birthdate, and Social Security Number.

Enclosed you will find a copy of the new Regulation and Aviculturists Permit cooperatively drafted by the Alaska Gamebird Assoc. and the Alaska Dept. of Fish and Game. The Regulation and Permit was voted on and judiciously accepted by the Board of Game as of April 14, 1987. Both will be published by ADF&G in their

ALASKA GAMEBIRD ASSOCIATION



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new regulation booklet available later this year. You will note that both the Regulation and Permit allow the buying, selling, trading, importing and exporting of upland gamebirds and waterfowl.

However, after a legal interpretation of this Regulation and Permit by Mr. Ed Hein, Attorney-at-Law on the Legal Staff at Juneau, he stated that indeed a Game Farming License is still necessary for the business of breeding, selling or marketing these birds until the wording of the statute is changed.

Once again we urge you to support House Bill 216 and pass this Bill

Sincerely,

Judith A. Rivard

Judith A. Rivard, Secretary

Johnnie M. Dellinger

Johnnie M. Dellinger, President

Linda S. Dellinger

Linda S. Dellinger, Treasurer

cc: Board of Directors, AGA
Representative Ron Larson

SENATE COMMITTEE REPORT

FURTHER: FINANCE

5/15/87

DATE TURNED INTO OFFICE 5/15/87

Mr. President:

RESOURCES

Committee considered HB 216

game farming

and recommended:

replace with SCS FOR HB 216) same title
 or adopt _____ CS FOR _____) new title

attached amendment(s) and

do pass

do not pass

no recommendation

individual recommendations

further referral to _____

letter of intent adopted _____

Committee attached or adopted fiscal note(s)

new updated or previous
 zero fiscal impact

MEMBERS SIGNING DO PASS

OTHER RECOMMENDATIONS

[Signature]
[Signature]
[Signature]

[Signature] DO PASS
Chairman signature and recommendation

Committee Backup Attached

SENATE COMMITTEE REPORT

FIRST COMMITTEE OF REFERRAL

Date of 5-DAY NOTICE
IN ACCORDANCE WITH UNIFORM RULE 23

FURTHER:

RESOURCES
FINANCE

**FISCAL NOTE(S) ATTACHED **
IN ACCORDANCE WITH AS 24.08.035
(see below)

5/15/87
Mr. President:

DATE TURNED INTO OFFICE

LABOR & COMMERCE

Committee considered

HB 216

game farming

and recommended:

replace with CS

same title

attached amendment(s) and

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** Committee attached or adopted fiscal note(s)
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OTHER RECOMMENDATIONS

Chairman signature and recommendation

Committee Backup Attached