

HB

216

HOUSE COMMITTEE REPORT

(11)

Date referred: 4/27/87

FURTHER REFERRALS:

DATE: 5-13-87

The Finance Committee has considered HB 216
"An Act relating to game farming."

RECOMMENDS:

- replace with _____ the same title
- attached amendment(s) a new title
- do pass
- do not pass
- no recommendation
- individual recommendations
- additional referral to the _____ Committee

ADOPTS: _____ letter of intent

ATTACHES NEW FISCAL NOTE(S):

- fiscal impact
- zero fiscal note
- zero with analysis
- same as previous fiscal note published 2-27-87
- same as previous zero fiscal note published _____

SIGNING DO PASS:

ADAMS [Signature]

POURCHOT [Signature]

LARSON [Signature]

SWACK-HAMMER [Signature]

BOYER [Signature] / but sounds like a lark to me!

RIEGER [Signature]

FRANK [Signature]

BROWN [Signature]

DAVIS [Signature]

SIGNING OTHER RECOMMENDATIONS:

[Signature]
Chairman's signature

STATE OF ALASKA 1987 LEGISLATIVE SESSION
FISCAL NOTE

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

REQUEST: _____
Revision Date: _____
Title: An Act relating to game farming
Sponsor: Larson and Menard
Requestor: _____

Agency Affected: Fish and Game
BRU: Game
Components: _____

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						
UTILITY						
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: 465-1190
Division: Game Date: 4/24/87

Approved by Commissioner: Donnell L. Ellsworth 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

SENATE COMMITTEE REPORT

FURTHER: FINANCE

5/15/87

DATE TURNED INTO OFFICE _____

Mr. President:

RESOURCES

Committee considered HB 216

game farming

and recommended:

[] replace with SCS FOR HB 216) [] same title
[] or adopt _____) [] 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

Alaska State Legislature



Session Address:
STATE CAPITOL BUILDING
BOX V
JUNEAU, ALASKA 99811
(907) 485-3727

Interim Address:
BOX 53
PALMER, ALASKA 99645
(907) 745-3826 - Palmer
(907) 376-8628 - Wasilla

Representative Ronald L. Larson
District 16B

TO: All Members of the House
FROM: Representative Ron Larson *R.L.*
Re: HB 216
Game Farming License
DATE: May 14, 1987

HB 216 is a simple bill that changes the cost of a game bird licensing fee from \$200 to \$20 every two years.

The statutory change separates game farming from fish farming, thus allowing the license distinction.

Passage of this bill should allow more compliance because the new law is more realistic.

There is a zero fiscal note.

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&340(14)a. which requires that a Game Farming License for a bienniel 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 biennielly, 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

STATE OF ALASKA
THE LEGISLATURE

POUCH Y. STATE CAPITOL
JUNEAU, ALASKA 99811
907 465 3800

LEGISLATIVE AFFAIRS AGENCY

MEMORANDUM

May 15, 1987

SUBJECT: State and federal permits for importation of
game mammals from Canada or lower 48

TO: Representative Dick Shultz

FROM: Edward H. Hein *EHA*
Legislative Counsel

You have asked what permits are required to import live caribou, elk, or moose from Canada or the lower 48. As far as I have been able to determine, the following permits, licenses, and certifications are or may be required:

1. Alaska Department of Fish and Game possession permit -- 5 AAC 92.029
2. Canadian or state health certificate from a licensed veterinarian, if the animals are transported into the state aboard a state ferry -- AS 03.53.010
3. U.S. Fish and Wildlife Service import/export license, unless value of animals imported is less than \$25,000 per year -- 50 CFR 14.91 - 50 CFR 14.92
4. U.S. Fish and Wildlife Service declaration for importation of wildlife (form 3-177) must be filed with customs officer at port of entry (Alcan, Anchorage, Fairbanks, or Juneau); if the form is filed, the animals may be imported for propagation and certain other purposes without an additional federal permit, but they may be released into the wild only by the Department of Fish and Game or with the department's permission; importer must clear customs -- 50 CFR 14.61; 50 CFR 16.11(b); 50 CFR 14.52
5. It is not clear whether a game farming license must be obtained before bringing game animals into the state -- AS 16.05.340(a)(14)

Representative Shultz

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May 15, 1987

6. Under AS 03.45.020, it is unlawful to import into the state an animal that has a disease described in AS 03.45.030. Although the latter section, and AS 03.45 generally, are limited to livestock and domestic animals, it is arguable that AS 03.45.020 authorizes the Department of Natural Resources to inspect domesticated game animals in order to prevent the spread of disease. Such authority has been suggested in an opinion of the Alaska Attorney General. (Op. Atty. Gen., August 29, 1979)

There may be additional state or federal requirements for importation of game mammals, but I have not found any. Note that the Department of Fish and Game has discretion to condition or limit permits for the importation, exportation, possession, or release of game mammals.

If you have further questions in this matter, please advise.

EHH:mkr
m12/025

RATIONALE FOR NEW LANGUAGE IN CS 216

THE NEW LANGUAGE IN THE SENATE CS FOR HB 216 MERELY ADDS ELK TO THE LIST OF GAME ANIMALS THAT THE MAY BE ALLOWED TO BE GAME FARMED. ELK WILL FALL UNDER THE SAME STATE REGULATIONS PERTAINING TO MUSKOX AND BISON. THE CS DOES NOT EXEMPT OR DIMINISH GAME FARM OPERATIONS FROM THE NECESSARY REGULATORY OVERSIGHT BY EITHER FISH AND GAME OR DNR.

SYNOPSIS:

GAME FARMING HAS BEEN GOING ON THROUGHOUT THE WORLD FOR CENTURIES.

A VERY SUCCESSFUL GAME FARM IS IN OPERATION ONLY A HUNDRED MILES OR SO FROM HERE IN WHITEHORSE. THE YUKON GAME FARM, (see packet) HAS EXISTED FOR OVER THIRTY YEARS RAISING MOOSE, WHITETAILED DEER, MULE DEER, ROCKY MOUNTAIN BIG HORN, DALL SHEEP, CARIBOU, AND ROCKY MOUNTAIN GOATS.

CONSUMER HEALTH TRENDS WORLD WIDE ARE CREATING A RAPIDLY GROWING MARKET FOR LOW CHOLESTEROL GAME MEATS. NEW ZEALAND HAS OVER 500,000 RED DEER, ELK, AND FALLOW DEER UNDER FENCE AND IS EXPANDING TO MEET THE GROWING DEMANDS. IN ALBERTA AND SASKATCHEWAN THERE ARE OVER 60 ELK RANCHES IN OPERATION. ONE OF THE REASONS IS EFFICIENCY. A GAME FARMER CAN RAISE 7 ELK FOR THE SAME AMOUNT OF MONEY IT TAKES TO RAISE ONE BEEF COW.

WITH THOUSANDS OF ACRES OF AGRICULTURAL LAND CLEARED AND READY, AS WELL AS THE TOURIST VIEWING POTENTIAL INCREASING, THE TIME IS RIGHT TO ALLOW OUR COMMISSIONERS TO GIVE PRIVATE ENTREPRENEURS THE ABILITY TO INCREASE GAME FARMING IN ALASKA. (This bill does not involve AG loans)

THE CS ALLOWS ELK WHEN LEGALLY OWNED AND HEALTH CERTIFIED, COULD BE TRANSPORTED INTO ALASKA FOR REGULATED GAME FARMING PURPOSES. IT ALSO WILL ALLOW REGULATED SALE OF ELK GAME FARM BYPRODUCTS. (SUCH AS HORNS, HAIR, MEAT ETC.)

THE CS WOULD ALSO ALLOW THE COMMISSIONER OF FISH AND GAME WHEN PRACTICABLE, TO APPLY CURRENT REGULATIONS TO ELK IN ADDITION TO BISON AND MUSKOX.

OF COURSE CURRENT DNR REGULATIONS (AS 03.05.010), AND DEC REGULATIONS THAT APPLY TO LIVESTOCK AND PRODUCTS REMAIN IN EFFECT.

THIS LEGISLATION:

1. DOES NOT ALLOW UNREGULATED GAME FARMING.
2. DOES NOT ALLOW CAPTURE OF WILD ELK.
3. DOES NOT ALLOW GAME FARM PRODUCTS TO BE UNREGULATED OR SOLD TO THE PUBLIC WITHOUT INSPECTION.
4. DOES NOT OBLIGATE THE STATE TO ANY APPROPRIATIONS.
5. DOES NOT RELEASE POTENTIAL GAME FARMERS FROM ANY FEDERAL OR INTERNATIONAL IMPORT / EXPORT LAWS.
6. DOES NOT DIMINISH OR INTERFERE WITH THE ALASKA BOARD OF GAME'S AUTHORITY TO ALLOCATE WILD GAME FOR ALL USERS.

WITH THE PASSAGE OF THIS LEGISLATION, PERSONS WISHING TO INVEST THE MONEY TIME AND EFFORT TO BRING GAME FARM ELK INTO ALASKA WILL BE ABLE TO DO SO.

AS THEY WORK WITH THE DEPARTMENT OF FISH AND GAME AND THE DEPARTMENT OF NATURAL RESOURCES IN THEIR ENDEAVORS, WE WILL BE BREAKING NEW GROUND IN ALASKA WITH AN AGE OLD INDUSTRY.

5-0932L

Hein

5/15/87

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 game mammals in a manner simi-
10 lar to the manner in which the commissioner regulates domestic animals
11 and livestock, 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 game mammals in a manner similar to the manner in~~
15 ~~which the commissioner regulates domestic animals and livestock, to~~
16 ~~the extent that is appropriate.~~

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

18 Sec. 16.05.331. GAME MAMMAL FARMING. (a) ~~The following game~~
19 ~~mammals may be raised and bred as domestic stock for commercial pur-~~
20 ~~poses, including the sale of meat, by a person who lawfully owns the~~
21 ~~mammals and who holds a current valid game mammal farming license:~~

22 (1) buffalo;

23 (2) caribou;

24 (3) elk;

25 (4) moose;

26 (5) musk oxen.

27 (b) The department may issue a game mammal farming license to a
28 person who applies on a form provided by the department, pays the fee
29 established under AS 16.05.340, and who proves to the satisfaction of

1 the department that the person

2 (1) intends to raise and breed game mammals; and

3 (2) possesses facilities for maintaining the mammals under
4 positive control.

5 (c) Notwithstanding other provisions of law, a license or permit
6 from the department, other than a game mammal farming license, is not
7 required in order to import, export, or possess a game mammal for the
8 purpose of game mammal farming. A live game mammal may not be cap-
9 tured from the wild or released into the wild without an appropriate
10 license or permit from the department.

11 (d) Game mammals imported, exported, or possessed for the pur-
12 pose of game mammal farming are subject to the provisions of AS 03 and
13 regulations adopted under AS 03 by the commissioner of natural
14 resources or the commissioner of environmental conservation for
15 domestic animals and livestock, to the extent they are made applicable
16 to game mammals by the commissioners.

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

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

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

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

23 (18) Game farming:

24 (A) Game mammal or game reptile farming biennial
25 license 200

26 (B) Game bird farming biennial license 20

27 ~~* Sec. 6. AS 16.40.010 is amended by adding a new subsection to read:~~

28 ~~(b) The Department of Fish and Game may, under regulations~~
29 ~~adopted by the commissioner, grant surplus caribou, elk, or moose~~

1 ~~under the department's control to a person for the purpose of game~~
2 ~~mammal farming if the person holds a current valid game mammal farming~~
3 ~~license.~~

4 * Sec. 7. AS 16.40.020 is amended to read:

5 Sec. 16.40.020. SALE OF MEAT. The sale of buffalo, ~~caribou,~~
6 ~~elk, moose,~~ or musk oxen meat resulting from the slaughter of animals
7 obtained under AS 16.40.010, or their offspring is authorized.
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ALASKA GAMEBIRD ASSOCIATION



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Sincerely,

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cc: Board of Directors, AGA
Representative Ron Larson