

S B

77

HOUSE COMMITTEE REPORT

(9)
 Date Referred: April 30, 1995 FURTHER REFERRALS: Finance

Date of Committee Action: 5/3/95

The RESOURCES Committee considered: CSSB 77(FIN) am

CS FOR SENATE BILL NO. 77(FIN) am INTENSIVE MANAGEMENT OF GAME

"An Act relating to management of game populations, to the powers and duties of the commissioner of fish and game, and to the division of game."

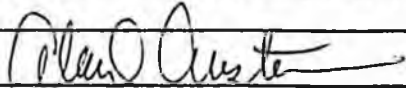
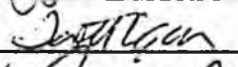
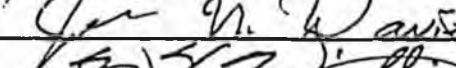

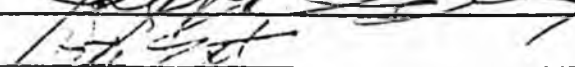

recommends it be replaced the same title
 with the following committee substitute HCS CSSB77 a new title


additional referral to _____ Committee
 attached amendment(s)

ADOPTS: _____ Letter of Intent

ATTACHES NEW FISCAL NOTE(S): (Dept) APPROVES PREVIOUS: (Dept/Date)
 fiscal note(s) _____ fiscal note(s) F+G 3-22-95

zero fiscal note(s) _____ zero fiscal note(s) _____

SIGNING WITH RECOMMENDATIONS	DP	DNP	NR	AM
			✓	
			✓	
		x		
		✓	✓	
	✓			
			-	

CHAIR'S SIGNATURE  _____

AMENDMENT 2

OFFERED IN THE HOUSE
TO: SB 77(FIN) am

BY REP. DAVIES

Page ~~2~~³, line ~~24~~²⁹: *delete attempt to*

Following "shall":

Insert "adopt goals to"

AMENDMENT 1

OFFERED IN THE HOUSE
TO: SB 77(FIN) am

BY REP. DAVIES

Page ³ 7, line ¹⁷ 10-11:

Delete ", but not including restrictions on methods or means of
taking game, access to game, or human harvest of game.

Insert "and regulations by humans"

Alaska State Legislature

SENATOR
BERT SHARP

DISTRICT P

CHAIRMAN
SENATE STATE AFFAIRS COMMITTEE

MEMBER
FINANCE COMMITTEE
RULES COMMITTEE



Senate

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SPONSOR STATEMENT

CSSB-77

BY: SENATOR BERT SHARP

THIS LEGISLATION DOES THREE THINGS:

SECTION 2 SPECIFIES THAT THE COMMISSIONER SHALL COOPERATE WITH AND ASSIST THE BOARD OF FISHERIES AND THE BOARD OF GAME. THIS REPLACES THE PRESENT ONEROUS WORDING IN AS 16.05.050(1) WHICH REQUIRES THE COMMISSIONER TO "ASSIST" THE U.S. FISH AND WILDLIFE SERVICE IN ENFORCEMENT OF FEDERAL LAWS AND REGULATIONS PERTAINING TO FISH AND GAME.

SECTION 3 IS AMENDED TO DELETE THE COMMISSIONER'S OPTION OF ESTABLISHING A DIVISION OF GAME THAT DOESN'T PRESENTLY EXIST.

SECTION 4 ESTABLISH, BY STATUTE, A DIVISION OF GAME WITHIN THE DEPARTMENT TO MANAGE GAME IN THE STATE. THE INTENT IS TO REPLACE THE TITLE OF DIVISION OF WILDLIFE CONSERVATION WITH THE ORIGINAL STATUTORY TITLE OF DIVISION OF GAME.



REPRESENTING
GOLDEN HEART
OF ALASKA

SECTION 5 MERELY CLARIFIES LANGUAGE CONTAINED IN LAST YEARS INTENSIVE MANAGEMENT LEGISLATION, WHICH BOTH THE BOARD AND THE DEPARTMENT ARE HAVING DIFFICULTY UNDERSTANDING. BASICALLY THEY WERE SAYING, DEPLETION OF GAME POPULATIONS FROM WHAT LEVEL, HIGH, LOW, OR PRESENT?

SECTION 6 ALSO, FURTHER CLARIFIES THAT INTENSIVE MANAGEMENT DOES NOT INCLUDE MANAGEMENT OF PEOPLE. THE DEPARTMENT SEEMS TO HAVE A VERY DIFFICULT TIME UNDERSTANDING THAT CONCEPT.

SECTION 7 ADDS TWO ADDITIONAL PARAGRAPHS. IT BECAME APPARENT AT THE DECEMBER 1ST AND 2ND BOARD OF GAME MEETING THAT THERE WAS DISAGREEMENT BETWEEN DEPARTMENT PERSONNEL ON JUST WHAT "HARVESTABLE SURPLUS" MEANT AS WELL AS SEVERAL BOARD MEMBERS HAVING DIFFICULTIES MATCHING WHAT THE STATUTE REQUIRES TO THEIR PERSONAL PHILOSOFICAL DESIRES. THIS CLARIFIES IT FOR THEM AND IS A DEFINITION ACCEPTABLE BY MANY GAME MANAGERS.

PARAGRAPH (4) DEFINES THE TERM "HIGH LEVEL OF HUMAN HARVEST" BY A QUANTIFYING EASILY UNDERSTANDABLE DEFINITION, "ONE THIRD OR MORE".

SECTION 8 ADDS A NEW SUBSECTION (H) WHICH STRENGTHENS THE LEGISLATIVE INTENT WORDING IN STATUTE BY ESTABLISHING A QUANTITIVE TARGET TO BETTER FOCUS MANAGEMENT GOALS AT THE 50-50 LEVEL.

IN SUMMARY, I WOULD RE-INTERATE, IT BECAME CLEAR BY OBSERVING THE DEPARTMENT'S INABILITY OR RELUCTANCE TO IMPLEMENT THE INTENSIVE MANAGEMENT STATUTE/MANDATE THAT FURTHER CLARRIFICATION IS NEEDED.

IRONICALY, THE ASSISTANT ATTORNEY GENERAL AT THE MEETING HAD NO PROBLEM UNDERSTANDING AND ARTICULATE WHAT SB-77 MEANT. I WOULD HOPE THIS LEGISLATION WILL CLARIFY THE AREA THAT IS NOT UNDERSTANDABLE TO SOME DEPARTMENT PERSONNEL AND THAT THEY WOULD THEN MOVE FORWARD TO AGGRESSIVELY MANAGE THIS GREAT RESOURCE FOR THE PEOPLE OF ALASKA AS IS THEIR CONSTITUTIONAL CHARGE.

SECTIONAL ANALYSIS

CSSB-77

SECTION 1. Legislative Findings. Provides for high levels of harvest for human consumption is the highest and best use of the game resources of most areas of the state.

SECTION 2. Defines the functions of the Commission.

SECTION 3. AS 16.05.050(1) is amended to read:

The Commissioner shall cooperate with and assist the Board of Fisheries and Game. This replaces the present wording which requires the Commissioner to assist the U.S. Wildlife Service Enforcement of Federal Laws and Regulations.

SECTION 4. Amends AS 126.05.090(a) by deleting the Commissioners option of establishing a Division of Game within the Department of Fish and Game.

SECTION 5. Amends AS 16.06,090 by establishing a Division of Game within the Department of Fish and Game.

SECTION 6. Clarifies language adopted in the 17th Legislatures SB-77 Intensive Game Management legislation.

SECTION 7. Clarifies that Intensive Management does not include management of people.

SECTION 8. Defines "harvestable surplus", "high level of human harvest" and "sustained yield".

SECTION 9. AS 16.05.255 is amended by adding a new subsection (h) which strengthens the legislative intent language already in statute by establishing a quantitative target at a 50-50 level.

SECTION 10. Amends AS 16.05.270 by adding a new subsection (b) to the Delegation of Authority to Commissioner.

FISCAL NOTE

No. 2
 Bill Version: CSSB 77 CRE
 (S) Publish Date: 3-22-95

STATE OF ALASKA
 1995 LEGISLATIVE SESSION

BILL NO. CSSB

Revision Date: 3/21/95 Dept. Affected: Fish and Game
 Title: Intensive Management of Game BRU: life Conservation
 Component: Wildlife Conservation
 Sponsor: Senator Sharp
 Requester: Senate Resources COMPONENT SERIAL NO. 473

Expenditures/Revenues (Thousands of Dollars)

OPERATING EXPENDITURES	FY 96	FY 97	FY 98	FY 99	FY 00	FY 01
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL	10.0	150.0	155.8	182.8	189.7	177.1
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	10.0	150.0	155.8	162.6	169.7	177.1
CAPITAL EXPENDITURES	0.0	0.0	0.0	0.0	0.0	0.0
CHANGE IN REVENUES ()	0.0	0.0	0.0	0.0	0.0	0.0

FUND SOURCE (Thousands of Dollars)

FUND SOURCE	FY 96	FY 97	FY 98	FY 99	FY 00	FY 01
1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1008 GF/MHTIA						
Other 1024 Fish/Game	10.0	150.0	155.8	162.8	169.7	177.1
TOTAL	10.0	150.0	155.8	162.6	169.7	177.1

Estimate of any current year (FY95) cost: \$ 0.0

POSITIONS

POSITIONS	FY 96	FY 97	FY 98	FY 99	FY 00	FY 01
FULL-TIME	0	0	0	0	0	0
PART-TIME	0	0	0	0	0	0
TEMPORARY	0	0	0	0	0	0

ANALYSIS: (Attach a separate page if necessary)

Assumptions:

1. First year funding for development of implementation plan. In subsequent years operating expenditures will be used for predator control programs.
2. Operating expenditures will fund efforts in GMU 13, 19, and 20.
3. If additional big game prey populations are identified by the Board of Game, program costs will grow accordingly.

Prepared by: Wayne Regelin (Colon Drive, Va)
 Division: Wildlife Conservation
 Approved by Commissioner: Hand Bentler or Frank Rex
 Agency: Fish and Game

Phone: 485-4192
 Date: 3/21/95
 Date: 3-21-95

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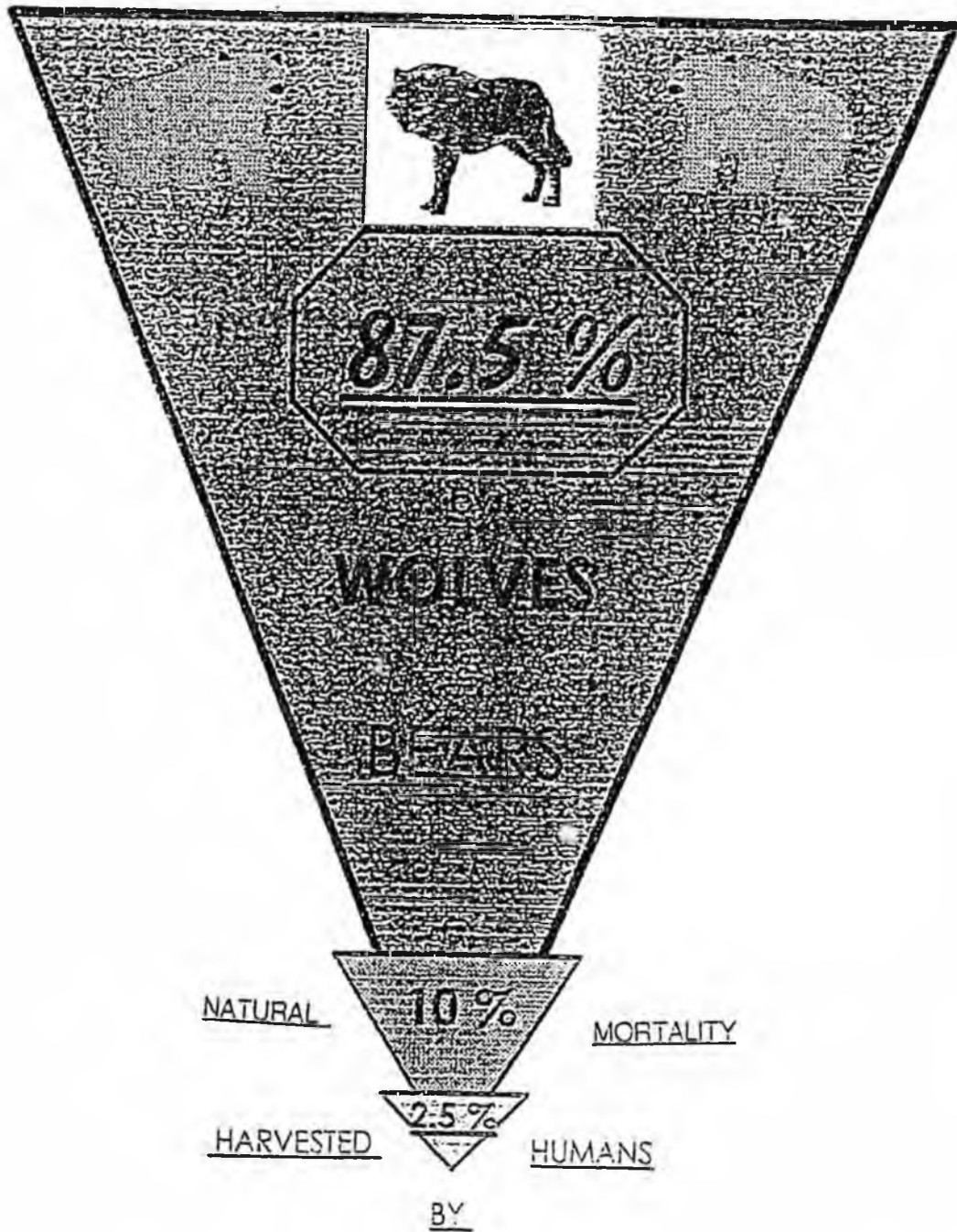
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May 2, 1995

Representative Joe Green, Co-Chair
House Resources Committee
Alaska State Capitol
Juneau, Ak. 99801

Dear Rep. Green:

I am writing to express our views on SB 77, as well as point out some things about this legislation that we feel to be important.

First of all, our group strongly endorses the idea of returning the moniker for the Division of Wildlife Conservation to Division of Game as presented in Section 5.

Secondly, in response to the Department's and the Board of Game's apparent inability to initiate and carry out several important aspects of intensive management, we continue to be supportive of the Legislature's attempts to address this problem.

Although we fully understand the reasoning behind the language in Section 7 where intensive management techniques cannot include methods and means of taking game, access to game, or human harvest of game, we are concerned that in some instances these may be legitimate and worthwhile tools. These types of techniques have been used successfully in Sweden and should not be arbitrarily eliminated.

Thank you for your time and attention to this important matter.

Sincerely,

Eddie Grasser
Legislative Affairs

cc: Senator Bert Sharp
House Resources Committee



May 3, 1995

TESTIMONY ON SB 77

Mr. Chairman, members of the House Resources Committee:

Thank you for the opportunity to testify on Senate bill 77. My name is Don Cornelius. I represent DEFENDERS OF WILDLIFE, a national wildlife organization. I am here on behalf of our Alaska membership. I am also a professional wildlife biologist who worked for the Alaska Department of Fish and Game for 25 years.

We oppose SB 77 for the following reasons:

1. It unduly restricts the Board of Game's flexibility to achieve its management objectives. The Board needs a variety of management tools, based on the best science available, which recognize differences in wildlife populations and habitat conditions. These include restrictions on methods or means of taking game, access to game, and human harvest of game. The one technique fits all situations philosophy does not enable the Board to provide for multiple uses of wildlife.
2. Legislation that mandates intensive management for specified levels of human harvest fails to recognize non-consumptive uses or combinations of non-consumptive and consumptive uses as legitimate uses of wildlife.
3. Seeking to maintain prey populations at historic high levels is a recipe for catastrophic crashes in these populations. Historic highs have often been reached when species exceeded the carrying capacity of the range. Historically this was, and still is, an unsustainable level. In such situations, browse is generally depleted and populations are vulnerable to environmental stresses. One or two severe winters and years of effort to build populations can be lost. At this point recovery is very slow due to low availability of food. Even small amounts of predation can then slow recovery.
4. If the Legislature wants to modify this 1994 Legislation it should define high levels of human harvest at somewhere between 8 and 10 percent of the harvestable surplus, a generally accepted target level from a biological basis. This would help prevent the taking of too many females and calves from prey populations.

Thank you for the opportunity to comment.

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