

HJR

56

SFIN

FILE

REPORTED OUT OF
SFC 4/7/00

SENATE FINANCE COMMITTEE REPORT

DATE: 3/30/00

FURTHER:

DATE TURNED
IN TO OFFICE: 7 April 00

Finance Committee considered

HOUSE JOINT RESOLUTION NO. 56

Proposing an amendment to the Constitution of the State of Alaska prohibiting certain initiatives relating to wildlife.

and recommends:

be replaced with _____ CS _____ (_____)

adopt previous _____ CS _____ (_____)

attached amendment(s)

adopt Letter of Intent by _____ Committee

further referral to the _____ Committee

Senate Bill:

same title

new title

House Bill:

same title

technical title

new: SCR# _____

SIGNING <u>DO PASS</u>	DP	OTHER RECOMMENDATIONS	NR	DNP	AM
		<i>H.C. & E. Kelly</i>			
		<i>Linda Green</i>	✓		
		<i>John Davely</i>	✓		
<i>Peter Kelly</i>	✓				
<i>Robert D. Quinn</i>	✓				
<i>Conrad</i>	✓				
Co-Chair: <i>Gregory</i>	✓	Co-Chair:			
Co-Chair:		Co-Chair: <i>Jan Randall</i>	✓		

NEW FISCAL NOTE(S):

Department Date Zero Fiscal

Department	Date	Zero	Fiscal

PREVIOUS FISCAL NOTE(S):*

Department Date Zero Fiscal

Department	Date	Zero	Fiscal
Elections	7/23/00		1.5

APPROPRIATION -- no fiscal note

*include fiscal notes accompanying Governor's bill

FISCAL NOTE

Bill Version: HJR 56
(H) Publish Date: 3/3/00

STATE OF ALASKA
2000 LEGISLATIVE SESSION

Revision Date/Time (Note if correction) _____ Dept. Affected Office of the Governor
 Title Constitutional Amendment: Prohibiting certain BRU Elective Operations
initiatives relating to wildlife Component Elections
 Sponsor Representative Morgan
 Requester House Resources Committee Component No. 21

Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

OPERATING EXPENDITURES	FY 2001	FY 2002	FY 2003	FY 2004	FY 2005	FY 2006
Personal Services						
Travel						
Contractual	1.5					
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING	1.5	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES						
----------------------	--	--	--	--	--	--

CHANGE IN REVENUES ()						
------------------------	--	--	--	--	--	--

FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF	1.5					
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type)						
TOTAL	1.5	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY2000) cost: 0.0

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)
 This figure includes the cost of providing information about this issue in the Official Election Pamphlet, as required by AS 15.58. However, only six measures can be printed on an 8-1/2 by 14 inch ballot. If this measure requires printing an 8-1/2 by 18 inch ballot, the cost will increase by \$22.0.

Prepared by: Gail Fenwick *G. Fenwick* Phone 465-3935
 Division Division of Elections Date/Time 2/23/00 12:04 PM
 Approved by: Lt. Governor Fran Ulmer *Fran Ulmer* Date 02/23/2000
 Agency Office of the Lieutenant Governor

SENATE FINANCE COMMITTEE
2000 COMMITTEE ACTION

Bill Number	HJR 56		
Amendment	—		
Motion	Report from Committee		
<u>Motion by</u>	K		
<u>Objection</u>			
<u>Objection by</u>	Ph		
<u>Removed</u>			
<u>Second Objection by</u>			
<u>Committee Member</u>	Y	Vote	N
Senator Loren Leman	✓		
Senator Al Adams		—	
Senator Gary Wilken	✓		
Senator Pete Kelly	✓		
Senator Lydia Green	✓		
Senator Randy Phillips			✓
Senator Dave Donley	✓		
Co-Chair Sean Parnell	✓		
Co-Chair John Torgerson	✓		
<u>Tally</u>	7		1
Yea	7	0	
Nay	1	0	
Absent	1	0	
<u>MOTION</u>	Pass		

Alaska State Legislature

SESSION

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Juneau, Alaska 99801-1182
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P.O. Box 243
Aniak, Alaska 99557
Phone: 907-675-4413



MEMBER

Community & Regional Affairs Committee
Health, Education & Social Services Committee
House Resources Committee
Special Committee on Fisheries

Representative Carl M. Morgan, Jr. District 36

SPONSOR STATEMENT HOUSE JOINT RESOLUTION 56 Constitutional Amendment Wildlife Initiative Process

This legislation removes wildlife management from the ballot initiative process in Alaska. The framers of our Constitution restricted the ballot initiative process in Article XI, Section 7 of the Alaska Constitution. Section 7 exempts certain subjects from the ballot and referendum process. I believe wildlife management is an appropriate subject for exemption.

Our wildlife interests are best managed in Alaska by Alaskans. Removing wildlife from the ballot and referendum process will ensure that wildlife decisions are made in Alaska based on sound science, prudent management, and in an open and fair process. The alternative is a repeat of the last two elections where special interest groups from the Lower 48, using emotion and political agendas, attacked Alaska's outstanding wildlife management system.

Alaska is not alone in this fight. In 1998, the citizens of Utah and Minnesota passed constitutional amendments to protect wildlife management and hunting in their states. Presently, there are constitutional amendments to protect wildlife management and traditional wildlife uses working their way through the state legislatures of Arizona, Idaho and North Dakota.

Legislative counsel has advised that the Legislature possesses the power to amend the Alaska Constitution subject to a vote of the people, but does not have the power to make sweeping revisions that radically alter the powers of governmental branches. Counsel believes HJR 56 amounts to an amendment of the Constitution, not a revision, and within the power of the Legislature.

UTAH CONSTITUTION 2/3^{RDS} AMENDMENT LANGUAGE

PASSED NOVEMBER 1998;

ARTICLE VI, SECTION 1 [Power vested in Senate, House and People]

In the people of the State of Utah, as hereinafter stated:

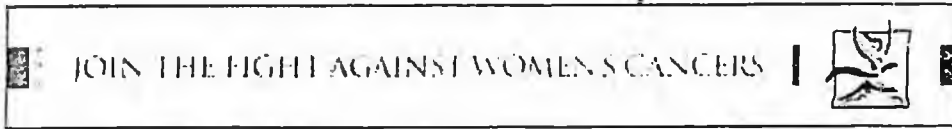
The legal voters or such fractional part thereof, of the State of Utah as may be provided by the law, under such conditions and in such manner and within such time as may be provided by law, may initiate any desired legislation and cause the same to be submitted to the a vote of the people for approval or rejection, or may require any law passed by the Legislature (except those laws pass by a two thirds vote of the members elected to each house of the legislature) to be submitted to the voters of the State before such laws shall take effect. Legislation initiated to allow, limit, or prohibit the taking of wildlife or the season for or method of taking wildlife shall be adopted upon approval of two-thirds of those voting.

ARIZONA PROPOSED WILDLIFE CONSERVATION AMENDMENT

To be voted on November of 2000:

This State shall conserve and manage wildlife in public trust for the people using sound scientific and biological principles and no law or administrative rule may permit the management of wildlife that will reduce the population of any species below a level that is essential to its continued health and existence. An Initiative or Referendum regarding the conservation or management of wildlife that permits, limits, or prohibits the taking of wildlife or the methods or seasons thereof shall not become law unless approved by at least two-thirds of the votes cast on the proposition.

Distr. by Sen. Leman



**Anchorage
Yamaha
Tiny's Toys
& Collectibles**



Anchorage Daily News

Friday, April 7, 2000

Should animal rightists manage Alaska's wildlife?

Compass

By JIM REARDEN

Dedicated animal rightists would have no hunting, fishing or trapping. No livestock farming or ranching. No beef, pork, lamb, chicken, fish, eggs. No moose or caribou meat. No leather for shoes or coats. They would have no zoos, aquariums, circuses, rodeos. No dogs, cats, birds or fish for pets. No guide dogs for the blind. No medical research with animals. "Drink beer, not milk," one group recently urged.

Activists in the animal rights movement spatter paint on women's furs, vandalize medical research labs and intimidate medical researchers with death threats or bomb scares. They break into fur farms and release to near certain death pen-raised mink.

Animal rights lawyers are working to give animals the same rights as humans, and some law schools now offer animal rights studies.

There are at least 250 animal rights groups in the United States, and almost 10 million Americans identify themselves as animal rights advocates. Some organizations focus on all animal uses; others have specific targets.

Active wildlife management (predator control), hunting and trapping are the usual targets of animal rightists in Alaska. Animal rights groups that focus on hunting commonly obfuscate by claiming they have nothing against hunting but don't believe in hunting for sport. That many Alaskans who hunt do so for sport and meat at the same time is a bit beyond their understanding.

Grudgingly, some allow that subsistence hunting is OK. They oppose scientific wildlife management, preferring to let nature take its course, which is one way to reduce hunting. With few animals to

*4/7/00 HJR 56
Jim Rearden is a
long time friend and
a well respected
biologist.
Loren Leman*

hunt, hunting decreases.

Animal rightists have discovered ballot box biology. Using the initiative process, they have attempted to buy Alaska's policies and wildlife management programs. When they don't agree with an Alaska wildlife program, letters to their members bring in hundreds of thousands of dollars. They then buy slick media programs in Alaska to advance their agenda. Sound science and proven wildlife management techniques are ignored.

The past two election cycles in Alaska are perfect examples. Alaskans were forced to spend hundreds of thousands of dollars to defend their rights, cultural heritage and way of life.

Alaska is not alone. In 1998, the citizens of Utah and Minnesota passed constitutional amendments to protect wildlife in their states from the abuse of ballot box biology fermented by animal rightists. Arizona, Idaho and North Dakota have similar proposed constitutional amendments.

Alaska has the most democratic system of wildlife management in the United States. Since statehood, every citizen has been encouraged to participate. Eighty-plus advisory committees in villages and towns statewide provide recommendations to the seven-member Boards of Game and Fisheries on needs and desires of the people. Advisory members are elected at public meetings, and public meetings are held to review proposed changes in regulations and to ask the public for their proposals. Individuals may also send proposed changes in policies and regulations directly to the boards.

Results of advisory committee meetings are presented to the boards when advisory members, their expenses paid by the state, attend board meetings. Thus there are about 800 members of the public scattered across Alaska who are the eyes, ears and unpaid experts for the boards.

Ballot initiatives are an important part of the democratic process, but they have proved to be a tempting target for animal rightists who do not like hunting or trapping or disagree with scientific wildlife management. In Alaska, scientific management is a complex process that must simultaneously consider biology, culture, economics and local conditions.

Ballot initiatives bypass the checks and balance of deliberation, and open debate is replaced by sound bites in the media. Results commonly hinge on emotions. Distortions of fact are common and are not perceived by some voters, many of whom are unfamiliar with regional needs and customs. There is no law requiring truth in media hype.

Alaska's perpetually renewable fish and wildlife are its most valuable natural resources; they could last forever. It is unfortunate that our legislature feels forced to react to threats to the well-being of this resource by mostly Outside animal rightists.

Fortunately, Alaskans created a superb system that encourages participation by every Alaskan. Alaskans do not have to resort to ballot box biology to influence fish and game management.

I support the amendment to our constitution (HJR 56) proposed by the Legislature that would remove wildlife from the dangers of ballot box biology.

Jim Rearden taught wildlife management at the University of Alaska Fairbanks for four years, was Cook Inlet's commercial fishery area biologist for 10 years and was outdoors editor for Alaska magazine for 20 years. He served on the Board of Fish and Game and Board of Game for 12 years. He has written 17 books on Alaska, and more than 500 of his magazine articles have been printed worldwide. He lives in Homer.

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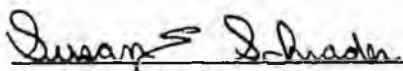
HJR 56 ~ Constitutional Amendment: Wildlife Initiatives

TO: Legislators
FROM: Susan Schrader, Conservation Advocate
DATE: March 20, 2000

Alaska Conservation Alliance and Alaska Conservation Voters are sister nonprofit organizations dedicated to protecting Alaska's environment through public education and advocacy. Our 40 organizations and business members represent over 22,000 registered Alaskan voters. We have consistently opposed efforts by the legislature to limit Alaskan's constitutional right to participate directly in the law-making process through the initiative process. HJR 56 is yet another attack on that right.

We are opposed to HJR 56 for the following reasons:

- ◆ While this proposed amendment to the constitution appears to be limited to initiatives dealing with wildlife, on a more fundamental level it represents an erosion of public access to government. We can debate the "ballot box biology" issue endlessly, but when one group of Alaskans are denied an opportunity to address an issue they strongly believe in by the initiative process, the freedom of all Alaskans to express their will through direct democracy is threatened. Public policy issues addressed by the initiative process receive far more discussion and debate than many of the hundreds of bills passed by the legislature every year. The process is out in the open as contrasted to the often clandestine route bills can take to become law.
- ◆ Supporters of this resolution endorse placing the scientific process of wildlife management back into the hands of the ADF&G and Board of Game. Yet ADF&G takes direction from the legislature and the legislature, through its confirmation process, essentially chooses the members of the Board of Game. Thus, the initiative process is an important check on the power of the legislature. Alaskans are being asked to relinquish their right to vote on wildlife management issues on the grounds that we are not competent enough to do so. Instead, we are being told to trust the decisions resulting from an unbalanced process that currently promotes the principles of intensive game management and the values of consumptive users to the near-exclusion of other users.
- ◆ Our constitution's sustained yield and multiple use provisions have served all Alaskans and our wildlife very well – it protects the interests of all beneficial users. Those same framers of our constitution who were wise enough to put Article VIII into it also included the initiative process. They had a faith in the ability of Alaskans to make informed decisions when voting - a faith that evidently is not shared by this legislature. As the passage of SB 74 last year exemplifies, the legislature has the power to amend or completely negate a citizen-passed initiative after two years. Thus, it is within the legislature's power to correct any legitimate problems that might result from the initiative process. Clearly, the Alaska Constitution will not benefit from this tinkering nor will the wildlife of Alaska be "safer" if the initiative process is taken away from the citizens of Alaska.


Susan E. Schrader

Conserve Alaska. It's Only Natural.

UCIA JUNEAU EMPIRE

Voters shouldn't take away their own rights

Four years ago the citizens of Alaska passed an initiative banning flying into areas and shooting wolves the same day. The citizen measure passed with 58 percent of the vote.

Last week, the state Senate passed legislation basically overturning that. The bill allows land-and-shoot in areas where the state Board of Game adopts regulations for big game management.

On top of that, a bill is moving through the Legislature to amend the Alaska Constitution and prohibit citizens from putting initiatives on the ballot that deal with wildlife management. That proposal will have to be voted on and passed by Alaska residents.

Is this starting to get confusing?

Basically, we have a majority of Alaskans voting to ban same-day wolf shoots. We then have the Legislature saying the citizens were wrong and they're going to change it. And to make sure this doesn't come up again, the Legislature is going to try and get citizens to give up their right to initiate such measures.

In a nutshell, proponents of removing the ban say these types of initiatives are emotional and not based on science — in essence, people get carried away without understanding all the facts. Opponents argue that it's not an issue serious enough that we need to change the Constitution and take away the people's right to vote.

We support the right of citizens to put issues on the ballot. However, we also believe such initiatives should be supported by a cross-section of the state. In other words, we oppose signature gatherers just hanging out in Anchorage malls and state fairs to get the necessary names because that's where the majority of the populace is. Initiatives should include signatures from the majority of all districts.

We're also a little concerned about the message this latest proposal sends. Whether they mean it or not, the Legislature is saying we the citizens aren't capable of making rationale decisions about wildlife. Ironically, we are capable somehow of determining who we want to represent us. Of course, voting on candidates is never an emotional issue, is it?

At the very least, this should be an interesting time at the voting box. We the citizens are going to vote on whether or not we want the right to vote. And of course, we're also going to vote on whether we want to keep legislators who introduce legislation overturning the will of the people.

Isn't democracy fun?

"You go through the board and the different committee meetings. You take all the testimony and all the scientific data," he said.

"On the initiative process, you don't."

Yes, democracy is a dangerous process. Put any issue to a popular vote, and campaigns on both sides may be the work of true believers less concerned with thorough airing of the issues than with their own brands of smoke. Their aim is to persuade, not educate. They want your vote, informed or not.

Rep. Morgan is right. Science can get lost fast in that political atmosphere.

But that's a risk we run in democratic government, and the risk is worth it to keep the right of initiative, even in matters of wildlife management.

If hunters, trappers and fishermen fear Alaskans will be duped by well-heeled Outside interests into ending their livelihoods, they should remember two recent election results. In 1998 Alaskans said no to a wolf-snaring ban. In 1999, despite heavy spending and the support of most of the Alaska establishment, voters overwhelmingly rejected a poorly crafted long-range budget plan.

Also, the argument here is not between pure science and corrupt politics. The science of wildlife management isn't absolute; biologists and other people disagree on management tools and criteria for using them. They question one another's data and methods. Often debates are battles of best guesses, not truth and falsehood.

Moral questions arise. Just as the state budget is more than an exercise in accounting, so wildlife management is more than a matter of putting the most meat on the table. How we take game makes a difference. Priorities matter. And people who don't hunt and fish still have a say.

Moral questions cut both ways. People who want to protect wolves can't just dismiss the needs of villagers who depend on game.

The biggest threat to some Alaskans' way of life may well be continued growth and easier access to game, not Outside or homegrown opposition to wolf control or trapping. More demand for game logically results in less game to go around. That makes decisions tougher because when resources are scarce, somebody has to lose.

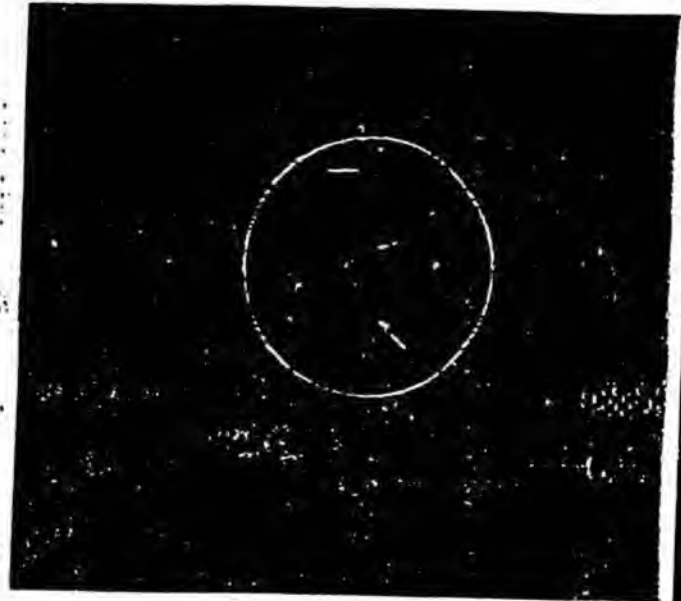
These questions will get thornier. Rep. Morgan said that if nothing else, he hopes to educate Alaskans about the issues involved so they can make up their own minds based on sound information.

All right.

But in the long run, Alaskans won't preserve a way of life by limiting the rights of fellow Alaskans. They'll only make it harder for the people to challenge their government's resource decisions. That's not an obstacle we should put in the constitution.

ADN WJRSK

B-4 Monday, March 6, 2000



Fish and game

Citizen initiative should not be limit

Backers of a constitutional amendment to ban ballot initiatives on questions of wildlife management have a catchy phrase in "ballot-box biology."

But they don't have a case compelling enough to restrict the initiative rights of Alaskans.

It's easy to understand the frustration of Alaskans who see long-held hunting, trapping and fishing practices challenged, sometimes by people with little knowledge or sympathy for those practices.

Rep. Carl Morgan, R-Aniak, said Thursday that Alaska has a lot at stake in protecting wildlife management decisions from the popular vote.

Most of all, he sees a way of life at risk.

"We have a thriving Native culture that's still thriving," he said. "This has some implication to them."

But Rep. Morgan said he isn't trying to be exclusively protecting ways of life. He says that all Alaskans have some stake in wildlife management and that the current system of Fish and Game board meetings and hearings allows participation by anyone.

"I don't see anybody being excluded," he said.

What the board does, Rep. Morgan said, is provide a more rigorous test of wildlife management proposals than the ballot box.

Letters Received in Support of HJR 56

Alaska Native Harbor Seal Commission	Harold Martin, Chair
Tanana Chiefs Conference,	Steve Ginnis, President,
Alaska Trappers Association,	Joe Mattie, Board Member
Alaska Trappers Association, South Central Chpt.	Allen Dubord, Chair
Alaska Outdoor Council.	Dick Bishop, Vice President
Coalition for the Alaskan Way of Life (CAWL)	Gabriel Sam, Co-Chair
Coalition for the Alaskan Way of Life (CAWL)	Ben Hopson, Jr. Co-Chair
Foundation for North American Wild Sheep	Wayne Heimer
Scientific Management of Alaska's	
Resource Treasures (SMART)	Patrick Wright, President
Peter R. Buist,	Fairbanks
Tom Lessard	Chugiak
Alex Whiting	Kotzebue
Alan and Brenda Jones	Fairbanks
Jim E. Gallagher	Anchorage
Carol Torsen	Anchorage
Joe & Candie Caraway	Beluga
Mike and Donne Fleagle	McGrath
Alaska Wildlife Society	Fairbanks
Tanana Tribal Council	Tanana
Rural Alaska Community	
Action Program, Inc	Anchorage



ALASKA NATIVE HARBOR SEAL COMMISSION

February 28, 2000

BOARD OF DIRECTORS

Harold Martin
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Southeast Region

Mitch Simeonoff
Vice-Chair
Kodiak Region

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Sec'y/Treas.
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Norman Vlasoff
Chugach Region

Ricardo Lopez
Bristol Bay MMC

Daniel Alex
Cook Inlet MMC

Monica Riedel
Executive Director

Representative Carl Morgan
State Capitol
Juneau, AK 99801-1182

VIA FAX: 1-907-465-2197

REFERENCE: IN SUPPORT OF HJR-56, CONSTITUTIONAL
AMENDMENT ON WILDLIFE INITIATIVES

Dear Representative Morgan:

I feel that it's extremely important that we utilize all means to protect wildlife and wild areas from special interest groups outside Alaska in order to protect future generations' use of those wildlife resources. HJR-56 will protect those wildlife resources by preventing these special interest groups from using the initiative process to make wildlife policy in Alaska, policy that could be very detrimental to Alaska's subsistence users.

It has been proven over the years that Alaska's system of wildlife management has worked very well. ADF&G, along with the Board of Game and the state legislature, has ensured preservation of Alaska's wildlife for everyone to enjoy. ADF&G biologists have been trained in sound scientific methods and the professional management of Alaska's wildlife resources, which have served Alaska's people well. We do not need "Ballot Box Biology" as advocated by animal rights groups.

We should not have to spend hundreds of thousands of dollars to defend our traditional hunting and trapping rights at the ballot box every few years. HJR-56 would ensure that wildlife issues could no longer be a part of the initiative process, and therefore protected from the whims of animal rights groups.

Thank you for this opportunity to comment **in favor of HJR-56.**

Sincerely,
Monica Riedel for HM
Harold Martin, Chairman, ANHSC

**TANANA CHIEFS CONFERENCE, INC.**

February 22, 2000

122 FIRST AVENUE, SUITE 600
FAIRBANKS, ALASKA 99701-4897
PHONE 907/452-8251 • FAX 907/459-3850

Representative Carl Morgan
State Capitol Building, Suite 409
Juneau, Alaska 99801-1182

Dear Representative Morgan:

The Tanana Chiefs Conference, Inc would like to express its support for HJR 56, which would remove wildlife management issues from the ballot initiative process.

When wolves enter into a village not because they are lost, but because they are hungry, there is a definite problem in how the wildlife is being managed. If there were enough moose and caribou out there the wolves would not come so close to a community. In January the children go to school in the dark and go home in the dark. This is also the time the wolves go out on their nightly hunt for food.

This is no longer an issue for just putting food on the table, it is now an issue for the children's welfare and safety. To manage fish and game resources by ballot initiative is not a sound method for wildlife management. The resources should be managed through the direction that the Board of Game assigns to the Alaska Department of Fish and Game.

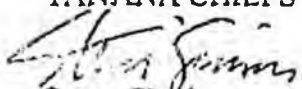
Through many of the public testimonies that were given by representatives from all over Alaska at the McGrath Rural Summit in McGrath, nobody spoke of totally eradicating the wolves. People spoke of how important the wolf is in their respective cultures. The problem is there are just too many wolves and not enough moose or caribou to feed them.

Because the terrain is so hilly and rough, it is difficult for the local trappers to successfully catch any wolves. The only way the wolf population can be controlled is by aerial hunts. An aggressive predator control program needs to be implemented.

Again, the Tanana Chiefs Conference, Inc supports HJR 56, because Alaska's resources should not be managed by outside special interest groups. Rather they should be managed based upon sound scientific principles. Thank you for your advocacy on this issue of importance to interior Alaskans.

Sincerely,

TANANA CHIEFS CONFERENCE, INC.



Steve Girtis
President

FEB 26 00 11:11 1995

10-23-1995 3:00AM

FEB-26-00 SUN 04:33 PM

FROM

AK PUBLIC DEFENDER

FAX NO. 907 465 3247

P. 03

P. 1

P. 01

**ALASKA TRAPPERS ASSOCIATION
POST OFFICE BOX 82177
FAIRBANKS, ALASKA 99708**

Feb. 23, 2000

Rep. Carl Morgan
Alaska State Legislature
State Capital
Juneau, AK 99801

Dear Rep. Morgan:


The Alaska Trappers Association has about 1200 members statewide. We are a group that supports humane and effective trapping and we stand up for trappers rights. Thus we are very happy that you have introduced House Joint Resolution 56 to finally stop the constant attacks by the Animal Rights groups that are trying to take over game management in Alaska.

As we saw in 1996, the well-funded groups like Friends of Animals can put a lot of money into an Alaskan campaign in a short period of time. And there is no truth in advertising. They ran ads on television that made people think that they were voting to outlaw AERIAL wolf hunting. It worked. The initiative to stop "same day airborne trapping was passed handily. They came back in 1998 to try to stop all wolf snaring and wearing wolf fur, but luckily trappers started the CAWL group and we were able to stop them.

But we do not have the money to keep fighting this battle every two years. That is why your bill is so important. We need to stop them. They can just use the HOG process like everyone else. They complain that this system does not work (for them) but I suggest that it DOES work. The fact that every goofy proposal they put in DOES NOT pass, is proof that our system works!

With your help, we will show them that you do not just circumvent the process and BUY Alaskan wildlife policy. Again, thank you very much.

Sincerely,



Joe Mattie, Board Member
Alaska Trappers Association



South Central Chapter
of
ALASKA TRAPPERS ASSOCIATION
P.O. Box 201175
Anchorage, AK 99520-1175

February 25, 2000

Dear Representative Morgan,

On behalf of the South Central Chapter of the Alaska Trappers Association (SCCATA) I want you to know that I support your efforts to put wildlife issues off - limits to the ballot initiative process. The initiative process has proven to be no friend of the trapper in many other states. We don't have the financial resources to confront these professional protesters every time we turn around. We believe in leaving these things to the professionals and that the Board of Game process allows for ample public participation.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Allen Dubord'.

Allen Dubord
Chair SCCATA



Alaska Outdoor Council

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 Fairbanks, AK 99707-3902
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 e-mail: outdoor@polamet.com
 web: www.alaskaoutdoorcouncil.org

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Fund Trustee
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 Fairbanks

*Executive
 Director*
 Rose Vander-
 Zande
 Fairbanks

February 25, 2000

The Honorable Carl Morgan
 State Capitol, Room 409
 Juneau, AK 99801-1182

Dear Representative Morgan:

The Alaska Outdoor Council strongly supports HJR 56, your measure proposing a constitutional amendment to restrict use of the initiative process in wildlife management.

Alaska currently enjoys a very open, democratic, and accessible system for development of policies and regulations to manage wildlife. Based on our constitution (among the best in the Nation for wildlife conservation and allocation), Alaska's statutory framework, and the Board and Advisory Committee structure, there is so much opportunity for public involvement that it is consistently underutilized. Putting wildlife management off limits to the initiative process will not diminish meaningful public opportunity to participate in Alaska's rigorous and rational wildlife management decision-making process, in fact, it may encourage it.

The initiative process, by contrast, has been used in Alaska and elsewhere to avoid the critical professional and public review of wildlife management proposals. Instead, the initiative process has been abused by promoting "Ballot Box Biology," a technique that markets an emotionally pitched and simplistic action to promote a single interest. Through clever advertising paid for by the single interest supporters, "Ballot Box Biology" takes advantage of a misinformed public to win issues based on the "majority of the moment." Professional management and the values held by people with different interests are simply ignored or dismissed.

"Ballot Box Biology" is not the way to manage renewable resources. The Board and Advisory Committee system works, as evidenced by the fact that the Board of Game most often rejects "Ballot Box Biology" demands. We applaud your efforts to head off further abuse of the initiative process and attempts to "end-run" the outstanding Alaskan system for managing our incomparable wildlife. Again, thank you for your efforts and we look forward to working with you on this important issue.

Sincerely,

Dick Bishop
 1st Vice President

COALITION FOR THE ALASKAN WAY OF LIFE
P.O. BOX 60954
FAIRBANKS, AK 99706

February 24, 2000

Representative Carl Morgan, Jr.
Alaska State Legislature
State Capitol
Juneau, AK 99801-1182

Dear Representative Morgan:

RE: HJR 56

On behalf of our coalition, I want to thank you for your introduction of this important measure. Your resolution proposing a Constitutional Amendment to finally stop these animal rights groups from abusing Alaska's democratic game management system is an important first step in bringing sanity back to the process.

As you know, our group is extremely diverse. Beginning with the fight over Proposition 9 (Wolf Snaring) on the 1998 ballot, we were able to get a wide array of interests to come together to fight this common enemy. Urban and rural. Trapper and hunter. Village trappers and urban sport hunters. We have all agreed to put aside other differences and help fight this assault on our way of life. We are very appreciative of your efforts to solve the problem.

Do not hesitate to call on us. We stand with you in defense of Alaska's wildlife and peoples.

Sincerely,

A handwritten signature in cursive script that reads "Gabriel K. Sam". To the right of the signature is a circular stamp or mark containing the initials "GKS".

Gabriel K. Sam, Co-Chair
Coalition for the Alaskan Way of Life

COALITION FOR THE ALASKAN WAY OF LIFE
P.O. BOX 60954
FAIRBANKS, AK 99706

February 26, 2000

Representative Carl Morgan, Jr.
Alaska State Legislature
State Capitol
Juneau, AK 99801-1182

Dear Representative Morgan:

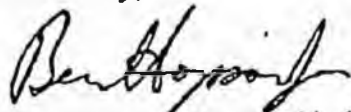
RE: HJR 56

On behalf of our coalition, I want to thank you for your introduction of this important measure. Your resolution proposing a Constitutional Amendment to finally stop these animal rights groups from abusing Alaska's democratic game management system is an important first step in bringing sanity back to the process.

As you know, our group is extremely diverse. Beginning with the fight over Proposition 9 (Wolf Snaring) on the 1998 ballot, we were able to get a wide array of interests to come together to fight this common enemy. Urban and rural. Trapper and hunter. Village trappers and urban sport hunters. We have all agreed to put aside other differences and help fight this assault on our way of life. We are very appreciative of your efforts to solve the problem.

Do not hesitate to call on us. We stand with you in defense of Alaska's wildlife and peoples.

Sincerely,



Ben Hopson, Jr, Co-Chair
Coalition for the Alaskan Way of Life

Have's Resolution
Interlock below

Hjr56



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Ted Schutte
President
554 78th St.
Silver, IA 51249
(712) 754-3729 (H)
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(712) 754-3170 (FAX)

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First Vice-President
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(208) 232-6720 (FAX)

Ruvca "Woody" Wood
Second Vice-President
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Secretary
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Treasurer
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(515) 638-0671 (FAX)

Virginia Fehner
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Las Vegas, NV 89129-4735
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Wayne Heimer
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(307) 358-3203 (FAX)

Leland Speakes, Jr.
Past President
P.O. Box 1073
Cleveland, MS 38732
(662) 843-2772 (O)
(662) 843-2015 (H)
(662) 843-3091 (FAX)

Curt Thompson
Box 9176, 29 Wain Road
Whitehorse, Yukon Territory
Canada Y1A4A2
(867) 668-6564 (U/FAX)

Rep. Carl Morgan
Alaska House of Representatives
Juneau, Alaska

February 28, 2000

Dear Rep. Morgan:

My name is Wayne Heimer. I am writing in support of House Joint Resolution 56 which would end wildlife management by ballot initiative. I favor this approach. Here's why.

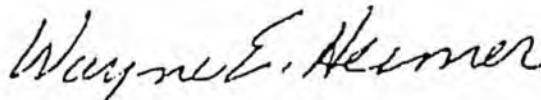
Beginning in 1971, I served in the Alaska Department of Fish and Game for 25.4 years, primarily in the areas of Dall sheep research and management. During the last five years of my career, I was thrust into the legislative and political arena by assignment to the Wildlife Conservation Division's now-extinct ANILCA team. Consequently, I suggest my exposure to legislation and politics may be beyond that of the average career biologist. I've "been through it all" with the Department of Fish and Game. During my career, I worked under every man that has ever been Governor of the State of Alaska, and I've never seen a Governor as intrusive into the management of Alaska's fish and wildlife as Governor Knowles. Also, I've never seen wildlife management as politicized or ineffective as Governor Knowles' micromanagement has made it.

After retiring, I was elected to the National Board of Directors for the Foundation for North American Wild Sheep. The Foundation is a hunter-interest conservation organization dedicated to wild sheep conservation and hunting. The Foundation's members, chapters, and affiliates were actively involved in defeating the anti-snaring initiative in the last general election. While the Foundation is willing to engage in these conflicts as necessary to, as our motto states, "Put [or keep] sheep on the mountain," we are also interested in keeping hunters on the mountain. Clearly, abuse of the initiative process to lower the number of sheep or hunters on the mountains (which is how we interpreted the anti-snaring initiative,

primarily because of its extremist proponents) is contrary to our Foundation's goals.

Hence, I feel safe in saying that not only am I personally in favor of the intent of HJR 56, I have no doubt the 8,000 members of the National Foundation (which have raised approximately a third of a million dollars for sheep management in Alaska over the last three years) would also support the intent of this resolution.

Sincerely yours,

A handwritten signature in cursive script that reads "Wayne E. Heimer".

Wayne E. Heimer
1098 Chena Pump Road
Fairbanks, Alaska 99709

Scientific
Management of
Alaska's
Resource
Treasures

**PO Box 244001
Anchorage, AK
99524-4001**

***Founded in 1996 to
ensure protection of
the trust resources
through scientific
management of
Alaska's fish and
wildlife.***

Directors:
Patrick Wright
279-1340
Nick Steen
745-2739
Mark Keller
357-2520
Keith Bayha
694-4123
Frank DiPofi
344-6698



FEB 29 2000

February 26, 2000

Representative Carl Morgan, Jr.
Alaska State Legislature
State Capitol
Juneau, Alaska 99801-1182

Dear Representative Moragan:

Re: HJR 56

On behalf of Scientific Management of Alaska's Resource Treasures (SMART), we want to thank you for your introduction of this important measure. Your resolution proposing a Constitutional Amendment to finally stop these extreme groups from abusing Alaska's democratic game management system is a significant first step in bringing sanity back to the process.

"Ballot Box Biology" is not the way to manage Alaska's natural resources! Alaska has an extensive open and public process by which to determine wildlife management policies and regulations. Alaskans should use this system rather than deciding these critical issues on the basis of emotion from 30-second sound bites.

Do not hesitate to call on us. We stand with you in defense of Alaska's wildlife in the reasonable and systematic management of time tested established methods.

Sincerely,

Patrick Wright
S.M.A.R.T. President

Peter R. Buist
Box 71561
Fairbanks, AK 99707

February 23, 2000

Representative Carl Morgan
Alaska State Legislature
State Capitol
Juneau, AK 99801-1182


Dear Carl,

I enjoyed meeting with you in McGrath in early February. **I wish to take this opportunity to personally thank you for your introduction of HJR 56.** As you know I have spent a lot of time over the past few years working to get hunters and trappers to come together on this important issue that is common to both urban and rural hunters and trappers. It is an IMMEDIATE threat and I am most appreciative that you have risen to the occasion.

In 1996 we lost "same day airborne" because we were unprepared. In 1998, we won the wolf snare initiative, but it was terribly expensive. I do not believe it is fair to ask Alaska's hunters and trappers to keep coming up with hundreds of thousands of dollars every two years to fight these big Outside groups. The worst of it is that even when we work hard, raise the money and spend it on a campaign, **WE DON'T GAIN ANYTHING!** All we get is the status quo. That is not fair to Alaskans!

This effort that you have started is very much appreciated. It will be a tough fight, but we will win. Again, thank you very much for "taking the initiative!"

Yours truly,


Peter R. Buist

Dear Rep. Morgan,

February, 26 2000

My name is Tom Lessard and I live in Chugiak. I am sending this note to voice my support of HJR 56. I think it is good to add wildlife issues to the list in the Constitution of items that are not allowed to be placed on ballot initiatives. The animal rights/antis have severely hobbled consumptive users around the country by selling their emotional campaigns to city folks largely ignorant of the issues. We as trappers and hunters simply do not have the financial resources to repeatedly defend ourselves against these attempts to hog-tie consumptive users. I think these decisions are best left to the professional biologists and the Board of Game after looking at all sides of the issues. They don't call it fish and game for nothing. If the antis want to have wildlife viewing areas all to themselves, they've already got it in the big National Parks and such.

Thank You for Your Consideration,



Tom Lessard
21670 Snowflower Loop
Chugiak, AK 99567

Subject: In support of HJR 56

Date: Thu, 17 Feb 2000 08:28:49 -0900

From: "Alex Whiting" <sheep@ptialaska.net>

To: <Representative_Carl_Morgan@legis.state.ak.us>

Dear Representative Morgan,

I want to thank you very much for introducing HJR 56. I have been waiting a long time trying to see such a bill introduced. I hope you are finding support for this bill and I will be writing Rep. Ogan, Rep. Bunde and Rep. Joule, all whom know my position when it comes to ballot box management, and express my support for this possible legislation. If there are any other legislators I should contact or any way I can help, please let me know.

Thank you very much and best wishes to you.

Sincerely,

Alex Whiting
Kotzebue, AK

Subject: HJR 56

Date: Thu, 24 Feb 2000 20:30:40 -0900

From: "Alan & Brenda Jones" <acjones@mosquitonet.com>

To: <Representative_Carl_Morgan@legis.state.ak.us>

Thank you! Thank you! Thank you! Thank you for introducing this legislation to make Fish and Game matters exempt from Ballot Initiatives. I feel strongly that the ballot initiative process is a good idea. It's just that it has no place in matters best handled by biologists and other Fish and Game experts. At present, a few mis-informed people can tell lies to people in the major population centers like Anchorage and Fairbanks and use emotions to get enough signatures to get an initiative on the ballot. Fish and Game issues are often charged with emotion and it is relatively easy to gather enough signatures from greenies to get the initiative on the ballot. This adversley affects the people who know better and the people who rely on a particular resource. Again I thank you!

Alan C. Jones

acjones@mosquitonet.com



6151 A Street • Anchorage, Alaska 99518 • Telephone (907) 561-2323 • Fax (907) 563-8467 or (907) 261-3299 • TIN #92-0048392

Date: 2-25-00

To: The Honorable Carl Morgan
State Representative

Alaska State Legislature
State Capitol (MS3100)
Juneau, Alaska 99801-1182

Good afternoon Mr. Morgan,

I would like to express my support for your House Resolution Bill HJR 56.

Thank you,

Jim E. Gallagher
Direct 261-3237

"WE STAY REDI • ER THAN MOST GET"

FEB 27 2000 10:30M FRUIT COURSE
CAROL TORSSEN

Carol T. Torsen
1558 Thuja Avenue
Anchorage, AK 99507
Ctorsen@alaska.net 907-344-5956

February 24, 2000

Representative Carl Morgan
State Capitol
Juneau, AK 99801-1182

VIA FAX: 1-907-465-2197

REFERENCE: IN SUPPORT OF HJR-56, CONSTITUTIONAL AMENDMENT
ON WILDLIFE INITIATIVES

Dear Representative Morgan:

Having grown up on Spruce Island, near Kodiak, I know what it's like to be dependent upon wildlife resources for food. I feel that it's extremely important that we utilize all means to protect wildlife and wild areas from special interest groups outside Alaska in order to protect future generations' use of those wildlife resources. HJR-56 will protect those wildlife resources by preventing these special interest groups from using the initiative process to make wildlife policy in Alaska, policy that could be very detrimental to Alaska's subsistence users.

It has been proven over the years that Alaska's system of wildlife management has worked very well. ADF&G, along with the Board of Game and the state legislature, has ensured preservation of Alaska's wildlife for everyone to enjoy. ADF&G biologists have been trained in sound scientific methods and the professional management of Alaska's wildlife resources, which have served Alaska's people well. We do not need "Ballot Box Biology" as advocated by animal rights groups.

We should not have to spend hundreds of thousands of dollars to defend our traditional hunting and trapping rights at the ballot box every few years. HJR-56 would ensure that wildlife issues could no longer be a part of the initiative process, and therefore protected from the whims of animal rights groups.

Thank you for this opportunity to comment in favor of HJR-56.

Sincerely,



Carol Torsen

Joe & Candie Caraway
Beluga River
Beluga, Alaska 99516

February 28, 2000

Rep. Carl Morgan
House District 36
Aniak, AK

Dear Carl,

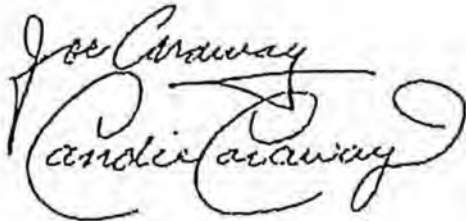
The State of Alaska has been under attack by outside animal rights groups for too long. The "anti" interest groups have attempted to dictate how we manage our renewable fish and wildlife resources. Our governor seems all too interested in catering to these uninformed, non-Alaskan voices.

Because of this unhealthy perspective that is being fostered by our administration, it is now necessary to take steps to protect our Alaskan way of life and many Alaskan traditions. Your House Joint Resolution No. 56 is just the remedy!

The State of Alaska has a fish and wildlife management system in place that allows for public input at every level. When it is allowed to function without political pressure--it is an incredible process. One, we should all be involved in and proud of as Alaskans. Our current administration is constantly thwarting the decisions of the Board of Game; and powerful money has made it's way to our state to fight Alaskans for the consumptive use of our resources. We must recognize that allowing issues dealing with fish and wildlife management to be voted on by all residents of the state is inappropriate. Management can not and should not be dealt with on an emotional level. Too often the issue is misrepresented to the uninvolved and uneducated voter. Often these same voters, when voting to stop the use of a wildlife resource feel they are paying homage, and are "doing their part". Users of Alaska resources do not have the time or monies to dispute each issue as it is comes before us--election after election. Carl, for these reasons, and many others not mentioned, your bill is so badly needed.

We thank you for your efforts on behalf of Alaska's renewable resources; and we pray for your success.

Most sincerely,



Joe Caraway
Candie Caraway

Mike and Donne Fleagle
P.O. Box 33
McGrath, Alaska 99627
February 28, 2000

Representative Carl Morgan
State Capitol Building
Juneau, AK 99811

RE: Support of HJR-56

Dear Representative Morgan:

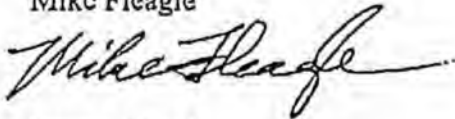
We strongly support and urge passage of HJR-56, the bill that would allow a vote for a constitutional amendment that would eliminate wildlife issues from ballot initiative.

We have seen the fine system of game management in Alaska eroded by the ballot initiative process, with the passage of the same-day-airborne hunting restrictions, and the more recent attempt to eliminate snares as a tool for harvesting wolves. We believe that wildlife management should be left to the professionals who are given the charge to do this, mainly the Alaska Board of Game and the Department of Fish and Game. The ballot initiative process precludes any biological information that might be present, and instead uses money and emotion to eliminate legal methods and means of harvesting. We have observed misleading and outright false statements made in advertisements supporting the initiative in question.

Our system of game management in Alaska is one of the finest in the country. It allows for the utmost public participation, even using a board of public citizens to enact regulation. All proposed regulation changes are available for public review before action by the board. A considerable amount of time is given at each board meeting to hear public testimony. Let us not see the continued erosion and corruption of this successful system, in fact, let us stop it now. Passage of HJR-56 does just that.

Sincerely,

Mike Fleagle



Donne Fleagle



**ALASKA BOARD OF GAME
97-112-BOG**

Relating to the management of Alaska's fish and game resources.

WHEREAS, since statehood, the management of Alaska's fish and game resources have been responsibly managed according to a system developed by the Alaska Legislature, namely, the Alaska Board of Fish and Game, and more recently, the Alaska Board of Fisheries and the Alaska Board of Game, and

WHEREAS, the clear intent of this process of management through a citizen's board distinct from the administrative and the legislative branches of state government was to insulate management decisions from undue political influence which could be detrimental to Alaska's fish and game resources, and

WHEREAS, it is also the clear intent to have the best scientific and historical data and information available to the Boards of Fisheries and Game when deciding management issues, and

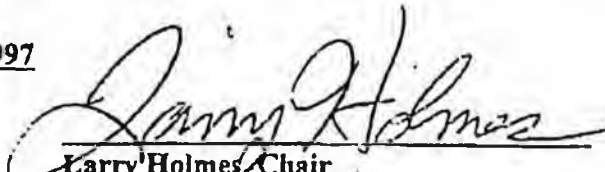
WHEREAS, management of Alaska's fish and game resources through the ballot initiative process does not allow for the consideration of this information, and may cause decisions to be made which could be detrimental to Alaska's fish and game resources,

NOW THEREFORE BE IT RESOLVED, that the Alaska Board of Game does not endorse the initiative process for management of Alaska's fish and game resources, and

BE IT FURTHER RESOLVED, that the Alaska Board of Game would encourage the Alaska Legislature to place before the voters a constitutional amendment which would prohibit management of Alaska's fish and game resources through the ballot initiative process, and

BE IT FURTHER RESOLVED, that this resolution be presented to the Governor, the President of the Senate, the Speaker of the House, and the Chairs of the Senate and House Resources Committees.

ADOPTED DATE: October 30, 1997
Nome, Alaska


Larry Holmes, Chair
Alaska Board of Game

VOTE: 6-0-1

**ALASKA BOARD OF GAME
RESOLUTION #98-120-BOG**

Relating to ballot initiative banning use of snares for harvesting wolves.

WHEREAS, the Alaska Board of Game recognizes that wolves are an important resource valued by Alaska residents, both socially and economically, and that the elimination of snares as a method of harvest would lead to economic and personal hardship for those dependent on trapping for their livelihood or recreation, and

WHEREAS, the harvest of wolves is a biologically sound practice that plays an important role in the management of other species, especially ungulates, and traps and snares are important cost-effective methods for balancing predator and prey. Snares, when properly deployed, are among the most efficient, humane, and selective methods of wolf harvest, and

WHEREAS, the group that is attempting to bring this issue to the voters has apparently submitted enough signatures to ensure a place on the ballot in 1998, with the intent to ban the use of snares to harvest wolves, and to criminalize the possession, sale, and purchase of wolves that have been snared, and

WHEREAS, the Board of Game found (98-BOG-119) that information used by the group is not representative of common trapping practices, and

WHEREAS, the Board of Game has a record of integrating informed public debate with scientific data and historical records to develop wildlife management strategies, and the use of ballot initiatives to decide management issues circumvents this process, and

WHEREAS, passage of this initiative would have significant adverse social, economic, and wildlife management implications, and

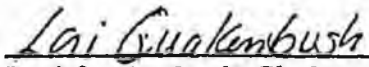
WHEREAS, the Board of Game and the Department of Fish and Game is constitutionally and statutorily mandated to manage Alaska's wildlife, including wolves, according to the sustained yield principle,

NOW, THEREFORE BE IT RESOLVED, that the Board of Game cannot support this proposed ballot initiative, and

BE IT FURTHER RESOLVED, that the Board of Game urges Governor Knowles and Commissioner Rue to issue a detailed position statement on the impacts that this initiative would have on rural economics and wildlife management in Alaska, and

BE IT FURTHER RESOLVED, that the Board of Game recognizes the right of Department personnel and individual Board members to speak freely as individuals on this issue, and encourages them to do so.

ADOPTED DATE: March 26, 1998
Fairbanks, Alaska

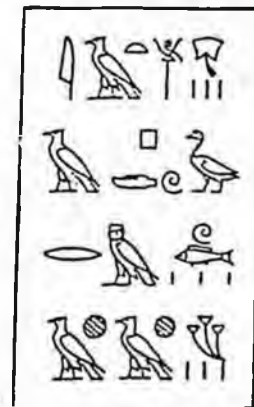

Lori Quakenbush, Chairman
Alaska Board of Game

THE WILDLIFE SOCIETY

ALASKA CHAPTER

P. O. Box 72962
Fairbanks, AK 99707-2962
February 29, 2000

MAR 03 2000



Representative Bill Hudson
Co-Chair, House Resources Committee
State Capitol, Room 108
Juneau, AK 99801-1182

Dear Representative Hudson:

I am pleased to transmit the enclosed *Alaska Chapter of The Wildlife Society Position Statement on Wildlife Management by Ballot Initiative*. The Alaska Chapter of The Wildlife Society, a professional organization representing approximately 300 wildlife biologists in Alaska, developed the referenced document in fall 1998 in response to a ballot initiative to ban snaring of wolves. In general, the Alaska Chapter finds ballot initiatives to be very poor tools for managing wildlife. The Alaska Chapter distributed the enclosed Position Statement to various media outlets immediately prior to the 1998 election but failed to get significant coverage.

The Alaska Chapter believes that you and your committee may find the suggestions in our Position Statement useful during your deliberations on HJR 56. We encourage you to provide copies of our Position Statement to members of the Resources Committee so that they may give the issues discussed in the Position Statement full consideration. Thank you.

Sincerely,

A handwritten signature in black ink, appearing to read "Roger A. Post". The signature is stylized and cursive.

Roger A. Post
President

Enclosure

cc (w/ enclosure):

Representative Bev Masek, Co-Chair, House Resources Committee
Representative Carl Morgan, Sponsor, HJR 56

THE ALASKA CHAPTER OF THE WILDLIFE SOCIETY
POSITION STATEMENT
ON
WILDLIFE MANAGEMENT BY BALLOT INITIATIVE

INTRODUCTION

The Wildlife Society is an international professional organization of wildlife researchers, managers, and enforcement personnel dedicated to the sound stewardship of wildlife resources and the environments upon which wildlife and humans depend. The Alaska Chapter is an affiliate organization of over 300 wildlife professionals living and working in Alaska. Most Chapter members are wildlife biologists for state, federal, private, or academic institutions.

The Alaska Chapter adopts position statements on important wildlife management issues in the state. Our purpose in this resolution is to examine the use of ballot initiatives to manage wildlife in Alaska and to recommend an appropriate course of action for Alaskans to take in managing wildlife.

BACKGROUND

Alaska is fortunate in that there is an established democratic process by which the direction for wildlife management in the state is deliberated and decided. That process is the system of local advisory committees and the governor-appointed Board of Game, which has been statutorily delegated the responsibility by the Alaska Legislature. The public is involved at all stages of this regulatory process. In recent years, there has been an increasing tendency for wildlife management decision-making to be taken from the Board of Game and made by the Legislature or by ballot initiatives. Neither of these methods utilizes a deliberative process with both professional biological advice and public input. In 1996 the Alaska Chapter passed a resolution on legislating wildlife management in Alaska. In the following position statement, the Chapter discusses the use of ballot initiatives.

Ballot initiatives addressing wildlife management have become more frequent in Alaska and other states as various interest groups have been unsuccessful using the existing management structures to influence wildlife management decisions according to their own political agenda. The ballot initiative method was used in Alaska in 1996 when an initiative to eliminate same-day airborne hunting of wolves was passed. Now, an initiative to ban snaring of wolves is on the 1998 ballot.

FINDINGS

Wildlife in Alaska and the other 49 states enjoys a unique legal status with distinctive legal principles grounded in the common law of public trust doctrine. Under this concept, wildlife is not legal property and therefore cannot be owned by anyone so long as it remains in its natural condition. The state has a legal duty to manage wildlife for the benefit of its citizens. No state is permitted to abrogate this duty. The state must ensure that no single use interferes with the equality of opportunity for access to wildlife for public trust uses. Hunting, fishing, and trapping are recognized public trust uses of the wildlife resource. The state has primary responsibility for determining the means by which wildlife may be reduced to possession.

Under recent Alaska Supreme Court rulings (*Pullen vs. Ulmer* 1996, *McDowell vs. Alaska* 1989, *Owsichuk vs. Alaska* 1988, and *CWC Fisheries vs. Bunker* 1988), the concept of public trust duty has come to be understood to lie with the Alaska Legislature. The Board of Game, with technical assistance from the Department of Fish and Game, has been delegated the duty, by the Legislature, to manage and allocate the wildlife resource under the strictures of public trust. There is reason to believe that, because the

Legislature cannot divest itself of its trust responsibility, allocation and management decisions cannot be delegated to a decision-making process where the Legislature retains no finality on approval; this is the case with ballot initiatives. The argument that wildlife management is exempted from ballot initiatives has yet to be determined by a higher court, but its potential should cause citizens to want clarification before casting their votes.

While we recognize that ballot initiatives are part of a participatory democratic process, it is clear they do not meet the needs of Alaskans to fully deliberate the complexities of harvest methods and means or allocations. Managing wildlife and its use in Alaska is a very complex process that must simultaneously consider biology, culture, and economics. Ballot initiatives bypass the checks and balances of deliberation and possible changes to regulations present in the existing public processes. In ballot initiatives, open debate is usually reduced to sound bites in the media by opposing sides and results in a good deal of misinformation. It is not possible to adequately prepare the voting public to make an informed decision in such a polarized atmosphere.

The current and usual process for dealing with wildlife management issues in Alaska consists of local advisory committees and the governor-appointed Board of Game. These organizations carry out knowledgeable deliberation of proposals submitted by the public, the Department of Fish and Game, and other organizations on a wide variety of issues. Their deliberations and decisions are based on their education from extensive public testimony, presentation from technical experts, and their own specific knowledge of wildlife issues. Although it may occasionally have been affected by politics or was sometimes less responsive to minority views than desirable, the Board of Game system has served Alaskans well and is regarded as a model of democratic wildlife management in the country.

Finally, the role federal subsistence management currently plays with regards to the initiative process must be considered. State statutes, whether passed by legislative action or ballot initiative, cannot countermand federal directives for subsistence management of wildlife on federal lands as provided in the Alaska National Interest Lands Conservation Act (ANILCA) of 1980. While state statutes apply to all lands in Alaska, they can be preempted by federal subsistence regulations on federal lands (approximately 60% of the land area in the state). The Federal Subsistence Board regulates subsistence harvest of fish and game on federal lands pursuant to ANILCA. Overtly restrictive measures, such as a proposed ban on the use of snares for wolves, would almost certainly have strong opposition from qualified subsistence users in rural Alaska, and the Federal Subsistence Board would likely reflect their wishes.

RECOMMENDATION

Therefore, The Alaska Chapter of The Wildlife Society recommends that:

- Wildlife management in Alaska should continue to be guided by the Board of Game system as the most appropriate mechanism to meet the needs of Alaskans and fulfill the requirements of public trust doctrine.
- The Attorney General of Alaska, under direction by the Governor and Legislature, should investigate the legality of ballot initiatives as applied to wildlife management in Alaska.
- The Board of Game, under direction by the Governor and Legislature and with assistance from an *ad hoc* citizen advisory panel, should explore ways of ensuring that the advisory committee and board processes continue to be open and responsive to minority opinion or alternative views of wildlife management and, if necessary, should suggest improvements to these processes.

Tanana Tribal Council
PO Box 130
Tanana, AK 99777
Phone: (907) 366-7170
Fax: (907) 366-7195

MAR 03 2000

February 29, 2000

Representative Carl Morgan, District 36
State Capital, Room 409
Juneau, AK 99802-1182

Re: Supporting HJR 56

Dear Representative Morgan

On behalf of the Tanana Tribal Council and the tribal membership we express our support for HJR 56. Alaskans have already felt the adverse effects from ballot box initiatives twice and they are a ban on wolf snaring, which failed, and the English only initiative that was passed by Alaskan voters. The ballot box initiatives (Ballot Box Biology) is being used to exploit Alaska's laws for the Benefit of Righteous Groups, outside of Alaska, who have no other intention but to change the way Alaskan natives have been living for the last hundred thousand years. These animal rights groups have a lot of money and use emotional campaigns and political agendas to win by Alaska's vote. These animal rights groups have already express their desire to change the Alaskan native so that it would be easier to assimilate them into the Alaska mainstream society. They are doing this because they think that it would solve the urban and rural differences. I believe Alaskans should handle Alaska's problems and this State should not be influence from outside by using ballot box biology on wildlife to assimilate Alaska's natives into a place that is not natural to them. I also believe that Alaskan natives are not going to change the way righteous groups want them to change and that no outside interest groups should influence other peoples lives adversely. Any questions or concerns call or write. Thank you

Sincerely,



Gerald Nicholia
Realty/Wildlife and Parks

Rural Alaska Community Action Program, Inc.

March 8, 2000

Honorable Representative Carl Morgan
405 State Capital Bldg
Juneau, Alaska 99802-1182
VIA FAX MAIL (907)-465-2197

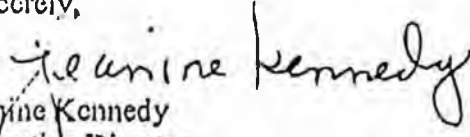
Reference: HJR 56

Representative Morgan:

This is to advise you that Rural Alaska Community Action Program supports the passage of HJR 56 as the means to prevent wildlife management in Alaska through the ballot box. HJR 56 will enable the application of sound wildlife management functions to manage wildlife in Alaska rather than management through popular vote.

Rural CAP was instrumental in the winter of 1998 in the formation of the Coalition for Alaska Way of Life as an organization to resist the effort of the outside animal rights groups to prohibit and make it illegal the use of wolf products caught by snares. Once organized CAWL successfully defended the rights of the trappers to continue their means to make a living in Alaska. Seventy percent (70%) of the trappers are Interior's Indigenous people and their way of life needs protection. HJR 56 will protect their community and traditional lifestyle. There is bipartisan support on your bill and Rural CAP is more than willing to be one of the supporters. Thank you and keep up the good works.

Sincerely,


Jennine Kennedy
Executive Director
Rural Alaska Community Action Program

Cc: Donne Fleagle, Chair RurAL CAP
Jonathon Solomon, Chair, RurAL CAP Subsistence Committee
Sam Jack, Subsistence Director



Teleconference Participants

TCN: 10690

Participant Lists

View List for

ALL

Testifiers

Go >>>

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Participants

Unidentified Testifiers: 0

Unidentified Observers: 0

ANCHORAGE (ANC)

- | | | | |
|---|---|---|--|
| 1 | ✘ | Name: Lt David Hudson
Address:
City /St /Zip:
Bill: HB 3: DRUGS: POSSESSION OF LISTED CHEMICALS | Phone:
Affiliation: DPS
Type: Testifier |
| 2 | | Name: Kevin Delaney Ans ? HB 301
Address:
City /St /Zip:
Bill: | Phone:
Affiliation: ADFG
Type: Testifier |
| 3 | ✓ | Name: Mr. David Gundacker Sr
Address:
City /St /Zip:
Bill: HB 272: MUNICIPAL TAX: LOW INCOME HOUSING | Phone:
Affiliation:
Type: Testifier |
| 4 | ✓ | Name: Mr. Kneeland Taylor
Address:
City /St /Zip:
Bill: HJR 56: CONST. AM: WILDLIFE INITIATIVES | Phone:
Affiliation:
Type: Testifier |
| 5 | ✓ | Name: Mr. Wiley Brooks
Address:
City /St /Zip:
Bill: HB 272: MUNICIPAL TAX: LOW INCOME HOUSING | Phone:
Affiliation:
Type: Testifier |
| 6 | | Name: Mr. Mike Burns
Address:
City /St /Zip:
Bill: HB 272: MUNICIPAL TAX: LOW INCOME HOUSING | Phone:
Affiliation:
Type: Testifier |
| 7 | | Name: Mr. Jan Sieberts
Address:
City /St /Zip:
Bill: HB 272: MUNICIPAL TAX: LOW INCOME HOUSING | Phone:
Affiliation:
Type: Testifier |
| 8 | | Name: Mr. Jerome Page
Address:
City /St /Zip:
Bill: HB 272: MUNICIPAL TAX: LOW INCOME HOUSING | Phone:
Affiliation:
Type: Testifier |
| 9 | ✓ | Name: Mr. Hubert Gallert
Address:
City /St /Zip:
Bill: HB 272: MUNICIPAL TAX: LOW INCOME HOUSING | Phone:
Affiliation:
Type: Testifier |

10 Name:Ms. Shannon Wilks Phone:
Address: Affiliation:
City /St /Zip: Type: Testifier
Bill: HB 272: MUNICIPAL TAX: LOW INCOME HOUSING

11 Name:Mr. Matt Reams Phone:
Address: Affiliation:
City /St /Zip: Type: Testifier
Bill: HB 272: MUNICIPAL TAX: LOW INCOME HOUSING

BETHEL (BET)

1 ✓ Name:Mr. James Berlin Jr Phone: 543-7342
Address: PO Box 219 Affiliation: AVCP
City /St /Zip: Bethel AK 93559 Type: Testifier
Bill: HJR 56: CONST. AM: WILDLIFE INITIATIVES

FAIRBANKS (FBX)

1 ✓ Name:Mr. Stan Bloom Phone:
Address: Affiliation:
City /St /Zip: Type: Testifier
Bill: SB 301: CHITINA DIPNET FISHING PERMIT

2 ✓✓ Name:Mr. Dick Bishop (hjr56) Phone:
Address: Affiliation: Ak Outdoor
City /St /Zip: Type: Testifier
Bill: SB 301: CHITINA DIPNET FISHING PERMIT

3 ✓✓ Name:Mr. Mike Tinker Phone:
Address: Affiliation:
City /St /Zip: Type: Testifier
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Address: Affiliation:
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6 ✓ Name:Mr. Mac Minard Phone:
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7 ✓✓ Name:Mr. Greg Machacek Phone:
Address: Affiliation:
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Address: Affiliation:
City /St /Zip: Type: Testifier
Bill: HJR 56: CONST. AM: WILDLIFE INITIATIVES

GLENNALLEN (GLN)

1 ✓ Name:Mr. Joseph Hart Phone:

Message

Date: Friday Apr 07, 2000

Time: 9:03 AM

To: JUNEAU

From: JEAN MILLER

TC Number: 10690

Message ✓ Ben Hopson Jr./Barrow is on line to testify on HJR 56. Janice Adair/DEC/Anchorage is on line to testify on SB 271. Jean/Bridge

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Address: Affiliation:
City /St /Zip: Type: Testifier
Bill: SB 301: CHITINA DIPNET FISHING PERMIT

MATSU (MAT)
1 ✓ Name: Mr. Rod Arno Phone:
Address: Affiliation:
City /St /Zip: Type: Testifier
Bill: HJR 56: CONST. AM: WILDLIFE INITIATIVES



Teleconference Participants

TCN: 10690

Participant Lists

View List for

ALL

Testifiers

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Participants

Unidentified Testifiers: 0

Unidentified Observers: 0

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Affiliation:
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| 9 | Name: Mr. Hubert Gellert
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 Bill: HJR 56: CONST. AM: WILDLIFE INITIATIVES