

From: Wayne Heimer

Date: March 20, 2014 at 9:22:20 PM AKDT

To: <Senator.Cathy.Giessel@akleg.gov>, <Senator.Fred.Dyson@akleg.gov>, "Bishop, Click" <Senator.Click.Bishop@akleg.gov>, <Senator.Hollis.French@akleg.gov>, <Senator.Peter.Micciche@akleg.gov>, <Senator.Lesil.McGuire@akleg.gov>, <Senator.Anna.Fairclough@akleg.gov>

Cc: Dick/Mary Bishop <rmbishop@ptialaska.net>, "Kelly, Pete" <Senator.Pete.Kelly@akleg.gov>

Subject: HB 161 can wait

Attn: Senate Resource Committee

I am saddened to tell you the rumor that HB 161 interests and the Alaska Outdoor Council had negotiated was incorrect. This distresses me because both sides on HB 161 represent venerable segments of the outdoor community. The fact that these differences of opinion on how best to increase revenue to the Fish and Game Fund and how to fund outdoor education have not been cooperatively addressed shows one side or the other (or both) is not playing nicely.

Consequently, passing HB 161 may well cement a division within the outdoor community in Alaska. My hope is that you will not report the bill out of committee. This should send the message that the outdoor community will not survive if it is not united (permit-funded classic outdoor education or not). Unity is more important now than ever before. Please do not facilitate this division. This bill can wait. The last two years of data suggest license issuance may have bottomed out, and is turning around anyway. Funding outdoor education is not an emergency. We can certainly wait one more year to "attempt a new fix" for less than optimal funding for both P-R projects and NGO-driven outdoor education.

And the bill DOES need a reasonable fiscal note.

I'm sorry to have mislead you earlier, but more embarrassed that my friends can't seem to play nicely together before coming to you in a united fashion.

Respectfully,

Wayne E. Heimer

Dall sheep biologist of some antiquity

From: Wayne Heimer

Date: March 20, 2014 at 6:38:45 PM AKDT

To: <Senator.Cathy.Giessel@akleg.gov>, <Senator.Fred.Dyson@akleg.gov>, "Bishop, Click" <Senator.Click.Bishop@akleg.gov>, <Senator.Hollis.French@akleg.gov>, <Senator.Peter.Micciche@akleg.gov>, <Senator.Lesil.McGuire@akleg.gov>, <Senator.Anna.Fairclough@akleg.gov>

Cc: Dick/Mary Bishop <rmbishop@ptialaska.net>, "Kelly, Pete" <Senator.Pete.Kelly@akleg.gov>

Subject: Fw: HB 161 perhaps penultimate pensiveness

Dear Senators:

It will take courage to vote against HB 161 as it has come to you from the House of Representatives. The "emotional appeal" of the bill (creating wealth and allocating it to "education") has strong appeal. Unfortunately, in my judgement, the practicalities associated with the bill do not match its emotional appeal. I have been concerned about this bill since it was introduced last session. **I think it needs review by Senate Finance (see very end of argument.)**

As I continue to mull the issues surrounding HB 161, I have come to (I hope) my penultimate participation in the issue (I always reserve the right to think further).

In considering my own concerns (and calculations) about loss of revenue to the Fish and Game Fund as HB 161 left the House, my own philosophical musings, Mike Tinker's identification of HB 161 as an "education endowment," and the passion with which classic conservation educators approach the issue of declining hunting license sales, I've attempted a further synthesis of these things.

First: Is there a real problem? The general impression is that the trend in hunting participation has been downward. This trend has been identified and considered alarming by most of us with an outdoor use-including hunting-tradition. Although the causes for this downward trend are uncertain, folks have anecdotally linked it to everything from lack of hunter success (which would cause hunters to "give it up") to "urbanization" and "the internet" (which focuses one's attention on alternative activities). Hence the common understanding is that there is a real problem, at least nationwide.

Second: Is this a problem in Alaska? Since ADF&G/Wildlife Conservation Division gets most of its wildlife management and research money through the P-R funding mechanism (where license sales dollars are matched 3:1 for wildlife management and restoration), it seems rational to be concerned about trends in Alaska as well as the country at large. However, the trend may be turning around in Alaska. Over the last two years, license-issuance seem to indicate a change in trend. In the last two years, approximately 5,200 licenses per year more than the recent longer term average have been issued. Whether this will produce the expected revenue is uncertain.

Third: Is this something we can effectively alter? Maybe, but not knowing the direct (cause or causes) of the above-perceived effect is bound to limit our effectiveness.

Fourth: What should we do, if anything? There are two primarily suggested remedies for the (perhaps) flagging hunting license sales in Alaska.

One remedy argues, "Make more game to hunt." This suggested remedy assumes Alaskans are buying fewer hunting licenses because they generally don't think hunting success is high enough to justify the required investments (the license fee of \$25 probably being the least compelling factor). There is no doubt that, on a *per capita* basis, game is less abundant than it used to be. Similarly, there are fewer places to hunt than in the past. Of course, "making more game" requires more money.

With respect to HB 161, this leads to the position (which I tend toward) of maximizing revenue to the Fish and Game Fund so managers have the opportunity to increase the *per capita* abundance of harvestable game on available state lands. The assumption is that if there's more game, hunting will be more rewarding, and license sales (and management money) will naturally increase.

The other remedy argues: "We can fix the problem through education." The ancillary assumption here is that by explaining the conservation benefits of hunting to uninformed or apathetic people, we can motivate them to eventually buy hunting licenses and increase funding for wildlife management and restoration. This approach seems to require non-traditional educational experiences like, "hands on" like shooting, preparing, and eating game as well as "head" instruction in a classroom setting.

This overreall approach, though emotionally appealing (who can oppose education?) is counter-intuitive. Reduced to its essence, it requires that people "hunt more to preserve the hunt." I'm not saying this a paradox or oxymoronic, only that it's counter-intuitive. With respect to HB 161, this leads to the position of the bill's sponsors, "If we allocate more money for education, we'll see increased license sales." Perhaps.

Fifth: If everyone agrees we need more money, why is there any disagreement over HB 161? "The devil is in the details."

A. The problem is not well defined. Is there a continuing trend toward decreasing in license sales? Maybe, maybe not. Licenses issued have shown a stable or upward trend in the last two years.

B. The cause of the perceived downward trend is uncertain?

C. Given there is a continuing downward trend in license sales, should/can we use public resources to fix it?

D. Even given there is a continuing downward trend in license sales, **and** that we should/can use public resources to fix it, there are conflicting approaches to the presumed fixes. Both involve spending more money.

1) One argument is that we should "fix it by leaving it alone" while trying to maximize the return to the Fish and Game Fund through existing mechanisms...these include the sale of special hunting permits as already codified in Alaska Statutes. This is the "make more game" crowd position. It argues more efficient use of existing moneys will produce more game for harvest. This represents my personal bias. WEH

2) The other argument is that we should adjust the sale of special permits to create what amounts to an endowment for classic conservation education managed by volunteer non-governmental organizations (NGOs). This is the "pro HB 161" crowd position. It argues that education through this mechanism is the way to create more money for more productive wildlife management and restoration, thus assuring a continuing supply of hunters buying licenses throughout the future.

E. The HB 161 details are nettlesome.

1) The "make more game" crowd argues, *"The bill (particularly Section 1 (a), appears written to favor one particular NGO, the one pushing to advance the bill, and the apparent favorite of the Division of Wildlife--which seems to be in the "education will fix it" or pro-HB 161 crowd. In reposte, the "education will fix it" crowd counters, "It looks that way to you, but other NGOs will be able to compete in the future." The "make more game" crowd then counters with, "Yeah, but the stipulations to qualify for competition to market the permits will require "rechartering" of existing, potential competitors, and they'll have to suck up to ADF&G to compete because under terms of HB 161, the Department effectively chooses the preferred NGOs." In response, the "education will fix it" folks argue, "The Department does not have undue influence" (even though the Department will approve spending of the education money. And so it goes.*

One important question for the Senate Resources Committee is, "**Is this special interest legislation or not?**" The major involved interests don't seem to agree.

- 1) The way HB 161 comes to the Senate, it sets aside a handful of revenue-generating special permits as an ADF&G directed, education endowment. Permit sales money would go directly for NGOs to "fix the problem" through Department-approved educational programs. This troubles the "make more game" people because HB 161 money won't go through the Fish and Game Fund to generate three times the value via federal matching money.
- 2) These people also argue that doubling the number of auction/raffle permits is likely to lower revenue by "glutting the market" with these special permits. The "make more game" folks says, *"This won't work; HB 161 will probably cost the Fish and Game Fund money."* The "education will fix it" crowd says, *"There won't be any real loss to the Fish and Game Fund because the money the bill specifies to be spent on education doesn't exist yet (and won't till after the bill is enacted)."* These folks say education is sufficiently important that it is worth the risk of lowering existing permit money into the Fish and Game Fund. They must argue that the projected revenue from education will more than make up for any lost dollars in the Fish and Game Fund.

I have said *"The market for permits is too volatile to consider it as a stable source of income for any purpose."* My decades of experience with the "permit market" show it is extremely volatile. If the Senate thinks an endowment for classic conservation education is important enough to support with public resources, it should not consider the permit auction business as a funding source."

In the end, the more fundamental questions, looking beyond whether HB 161 is special-interest legislation should be:

Does Alaska need an endowed classic conservation education program? (regardless of whether it will generate income or losses to the Fish and Game Fund)

If so, what is the best way to accomplish development of this program? HB 161 will leave developing this program to a shakily endowed competing assemblage of volunteer NGOs. Is the best long-range solution? We're looking at an Alaskan Statue (not a regulation) here. That means we're gonna be "stuck with this baby" till the Legislature repeals or amends it. Do we really want to go this far given that (here I summarize:

SUMMARY:

1. The basic problem, decline in hunting, is perceived; but it is real in Alaska?

Is the national trend-to-date relevant in today's Alaska?

IF SO, should/can we reverse it using public resources?

Should we wait a little longer to see what the Alaska trend is?

Do we want to create a law based on disputable assumptions at this time?

2. The cause of the perceived decline is uncertain.

Is this a crisis?

Does the legislature want to provide an uncertain solution to a perceived problem with an uncertain cause at this time?

Will the proposed solution (HB 161) really "fix" the problem?

Does HB 161 stand a reasonable chance of fixing the problem?

3, The proposed solution (HB 161) has arguable outcomes.

Does the legislature really want to codify a fix to a problem with uncertain cause and possibly reversing trend?

Does the legislature want to "bank on" the stability of the auction permit market to fund outdoor education?

Is leaving conservation education to volunteer NGOs which must be "incentivized" by a tripling of their "take home" from "marketing permits" really the best we can do?

4. The proposed legislation has divided Alaska's "outdoor" community. I've heard it crudely characterized by a House legislative staffer as "a pissing contest between Safari Club and the Alaska Outdoor Council." However, the gossip from my sources is that Safari and the AOC had a joint work session to resolve differences. I don't know what happened there, but suggest that you table HB 161 till the outdoor community has a chance to resolve these differences.

There's no compelling reason to be in a rush about this.

The "zero" fiscal note seems unreasonable to me. It will cost more money to administer twice the number of permits, negotiate projects with NGOs, etc. If ADF&G has at least a half-time biologist sitting around doing nothing, the "zero fiscal note" is defensible. If all biologists are working at capacity, it will logically require more money to "realize the funding bonanza HB 161 postulates