

HOUSE FINANCE COMMITTEE
April 25, 2005
1:49 p.m.

CALL TO ORDER

Co-Chair Meyer called the House Finance Committee meeting to order at [1:49:21 PM](#).

MEMBERS PRESENT

Representative Mike Chenault, Co-Chair
Representative Kevin Meyer, Co-Chair
Representative Richard Foster
Representative Mike Hawker
Representative Jim Holm
Representative Reggie Joule
Representative Mike Kelly
Representative Carl Moses
Representative Bruce Weyhrauch

MEMBERS ABSENT

Representative Bill Stoltze, Vice-Chair
Representative Eric Croft

ALSO PRESENT

Adam Berg, Staff, Representative Carl Moses; Representative Bob Lynn; Representative Max Gruenberg; Philip Mitchell, Section Chief, Bureau of Vital Statistics, Department of Health and Social Services; Jane Perrson, Staff, Representative Jay Ramras; Representative Jay Ramras; Mark Vinsel, Executive Director, United Fishermen of Alaska

PRESENT VIA TELECONFERENCE

Jerry Beale, Veterans' Service Officer, Division Service Manager, Military and Veterans Affairs; Paul Shadura, President, Kenai Peninsula Fisherman's Association

SUMMARY

HB 26 "An Act relating to short-term commercial fishing crewmember licenses; and providing for an effective date."

CSHB 26 (FIN) was REPORTED out of Committee with a "do pass" recommendation and with fiscal impact note #1 by the Department of Fish and Game, and with an indeterminate fiscal impact note #2 by the Department of Labor and Workforce Development.

HB 167 "An Act relating to providing a death certificate for a deceased veteran without cost."

CSHB 167 (STA) was REPORTED out of Committee with a "do pass" recommendation and with a zero fiscal impact note #1 by the Department of Military and Veterans Affairs, and with a new zero fiscal impact note by the House Finance Committee for the Department of Health and Social Services.

HB 213 "An Act relating to alcohol server education."

HB 213 was REPORTED out of Committee with a "do pass" recommendation and with a zero fiscal impact note by the Department of Public Safety.

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HOUSE BILL NO. 26

"An Act relating to short-term commercial fishing crewmember licenses; and providing for an effective date."

ADAM BERG, STAFF, REPRESENTATIVE MOSES, related that HB 26 allows for a seven-day license for commercial fishing crewmembers for \$30. The bill provides an option to charge tourists to work on a commercial boat. It would also help fishers who need short-term help, by allowing visitors, relatives, and friends a more affordable way to help. He pointed out that under the House Resources Committee's version of the bill, a clause was added that would prohibit short-term license holders from being compensated.

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Representative Weyhrauch described a possible scenario as to how this bill would work. Mr. Berg explained that currently a person could go on and watch for free, but if they want to participate, they must have a license. Representative Weyhrauch called it "dude" fishing. He asked if there are any survival training requirements. Mr. Berg replied that the permit holder is responsible for that training. Representative Weyhrauch asked if the person would be subject to remuneration from the fishermen's fund if they were injured. Mr. Berg replied that they would.

[1:57:00 PM](#)

PAUL SHADURA, PRESIDENT, KENAI PENINSULA FISHERMAN'S ASSOCIATION, testified (via teleconference) in support of the bill, but not the amendment that would restrict compensation for commercial fishing. He noted that many boats rely on the casual laborer. He suggested striking the

language on page 2, lines 17-19. He noted his responsibilities to have insurance and training provided for his crewmembers. He called this bill a necessity for his industry.

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Representative Weyhrauch asked about other compensation such as a portion of the catch. Mr. Berg replied that the current language would prohibit all types of compensation.

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Representative Holm inquired about the reason behind not compensating these crewmembers. Mr. Berg replied that was a change to the bill in the Resources Committee by Representative Seaton. He read from that earlier amendment and stated disagreement with it.

Representative Holm asked for an explanation of the other side of the issue. Mr. Berg opined that crewmembers should be paid for their work, whether they are tourists or not.

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MARK VINSEL, EXECUTIVE DIRECTOR, UNITED FISHERMEN OF ALASKA, stated support for the bill as it was originally drafted. The intent was to fill in gaps in commercial fishing crews. He spoke in favor of paying temporary crewmembers.

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Co-Chair Chenault MOVED to ADOPT Amendment 1 A:

Page 2, Lines 17-19

Delete: "may not be paid, receive crew shares, or receive other compensation for work performed under the license and"

Co-Chair Meyer OBJECTED for discussion purposes. Co-Chair Chenault explained that the amendment would allow a captain to bring short-term crew on board and be compensated.

Representative Weyhrauch asked how the current crewmember license and the proposed crewmember license compare, and how much money is saved. Mr. Berg related that the cost used to be \$60 for a resident and \$180 for a non-resident. Now it would be \$30 for both. Representative Weyhrauch inquired if they could get a regular Fish and Game commercial fishing crewmember license. Mr. Berg said they could.

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Co-Chair Chenault clarified that a crewmember license is different than a sport fishing license.

Co-Chair Meyer WITHDREW his OBJECTION to adopt Amendment 1 A. There being NO OBJECTION, Amendment 1 A was adopted.

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Representative Weyhrauch MOVED to ADOPT Amendment 1, which would require the owner/operator of the boat to sign a statement of participation in random drug testing, to hold a federal merchant marine license, and that the vessel is in compliance with requirements for safety equipment and other passenger-for-hire rules.

Co-Chair Meyer OBJECTED for discussion purposes.

Representative Weyhrauch explained his reasoning behind the amendment.

Mr. Berg stated opposition to Amendment 1. He referred to an email from the Coast Guard (copy on file), which states that the crew is subject to drug testing. He stressed that it is unnecessary to spell it out in statute. He called it a little extra hassle.

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Co-Chair Chenault asked Representative Weyhrauch if charter operators are currently required to have a form asking about license fees and drug use. Representative Weyhrauch replied that they are not. Co-Chair Chenault noted that a six-pack operator is. Representative Weyhrauch explained that it would cause a competitive disadvantage. It would open up a whole new area. Co-Chair Chenault replied when he had to buy a crew license it was not required.

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Mr. Berg noted that any commercial operator who is going to take people out for money has to follow the same requirements that the charter operator has to follow.

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Representative Hawker opined that this legislation is not creating a new competitor for the charter industry because the existing language in the bill, as amended, prohibits rod and reel fishing while on a commercial fishing vessel. Mr. Berg said that's the way he sees it.

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Representative Holm asked what a six-pack license is. Mr. Berg explained that it is an operator's license required by the Coast Guard.

Representative Weyhrauch explained the differences in requirements of charter boats and commercial boats. This bill addresses the commercial boat experience. Mr. Berg noted that Coast Guard requirements are the same for both boats.

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Representative Weyhrauch WITHDREW Amendment 1 and stated that he would not offer Amendment 2.

Representative Moses MOVED to report CSHB 26 (FIN) out of Committee with individual recommendations and the accompanying fiscal notes. There being NO OBJECTION, it was so ordered.

CSHB 26 (FIN) was REPORTED out of Committee with a "do pass" recommendation and with fiscal impact note #1 by the Department of Fish and Game, and with an indeterminate fiscal impact note #2 by the Department of Labor and Workforce Development.

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HOUSE BILL NO. 167

"An Act relating to providing a death certificate for a deceased veteran without cost."

REPRESENTATIVE BOB HOLM, sponsor, explained that HB 167 provides a death certificate, without cost, to a surviving spouse or relative of a deceased veteran. It also provides for a program honoring deceased veterans.

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REPRESENTATIVE MAX GRUENBERG explained that the bill was introduced by the House Military and Veterans' Affairs Committee and melds two bills together. He related that Section 1 is modeled on an Arizona statute and makes things easier for the deceased's family. The second part is modeled on federal law. It permits the Department of Military and Veteran's Affairs to honor the memory of a deceased veteran who was a state resident by sending a certificate bearing the governor's signature to the next of kin.

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Co-Chair Meyer asked about the requirement for 5 copies. Representative Gruenberg related a personal story about receiving a free death certificate.

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Representative Joule spoke about members of Native Corporations and their need for more than one original copy of a death certificate. Representative Gruenberg suggested that the number could be limited.

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Representative Lynn noted that it is not intended to enhance a genealogical quest.

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PHILLIP MITCHELL, BUREAU OF VITAL STATISTICS, DIVISION OF PUBLIC HEALTH, DEPARTMENT OF HEALTH AND SOCIAL SERVICES, reported on the fiscal note and the average number of certificates requested. He noted that it might take time for people to become acquainted with this program. He related that there has been a 5 percent increase in the number of deaths.

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Representative Holm asked if there have been any requests for this to be a free service. Mr. Mitchell said no.

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Representative Hawker referred to a statement about no general funding being budgeted. He clarified that the FY06 has \$84,000 budgeted. He pointed out that there would be a decrease of \$50,000 in receipt services. He suggested that a zero or indeterminate note would be better. Mr. Mitchell agreed that there could be a change to reflect that. Representative Hawker explained the budget process. He said it is a grey area. He suggested a zero note.

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Representative Kelly opined that the note could be a zero note. He debated the issue.

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Representative Hawker put it in the context of the bureau's budget and the effect on the governor's \$2 million budget.

Representative Weyhrauch stated his appreciation as to how the bureau is being managed. He asked for an interpretation

of "one death certificate". Mr. Mitchell explained that his understanding that one is provided per every request.

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Co-Chair Chenault asked if they would be certified copies. Mr. Mitchell said yes. Co-Chair Chenault related a personal story. Representative Weyhrauch asked if the first one is free and the rest are not. Mr. Mitchell said that would be correct if one individual is making the request.

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JERRY BEALE, DIVISION SERVICE MANAGER, MILITARY AND VETERANS AFFAIRS, testified (via teleconference) in favor of HB 167. He spoke of the Veterans Administration's requirements.

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Representative Hawker asked the committee to approve two zero fiscal notes to HB 167. He MOVED to ADOPT a House Finance Committee zero note to the Department of Health and Social Services. There being NO OBJECTION, it was so ordered.

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Representative Foster MOVED to report CSHB 167 (STA) out of Committee with individual recommendations and the accompanying fiscal notes. There being NO OBJECTION, it was so ordered.

CSHB 167 (STA) was REPORTED out of Committee with a "do pass" recommendation and with a zero fiscal impact note #1 by the Department of Military and Veterans Affairs, and with a new zero fiscal impact note by the House Finance Committee for the Department of Health and Social Services.

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HOUSE BILL NO. 213

"An Act relating to alcohol server education."

JANE PERRSON, STAFF, REPRESENTATIVE JAY RAMRAS, explained that HB 213 would make it easier for competent alcohol servers to renew their alcohol server education card without retaking the full course, provided they pass the test. It would save time and expense in the service industry.

Co-Chair Chenault asked if this is referring to the TAMS card. Ms. Perrson replied yes.

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Representative Hawker inquired if the individual would need to be retested. Ms. Perrson replied yes.

Representative Kelly noted that commuter airlines require a test. He asked if this test is similar.

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REPRESENTATIVE JAY RAMRAS, related that he employees personnel servers who have to take the 3-hour course and then take the exam. He said that there are thousands of hours lost by having to take the course over again. The bill would eliminate most of the course and the servers could take the test and be awarded a new certification.

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Representative Kelly asked if the test contains the same material as the course. Ms. Perrson replied yes.

Co-Chair Meyer asked if the ABC board is ok with this. Representative Ramras said he believes that Labor and Commerce supports this bill.

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Co-Chair Chenault asked if the test is the same every time. Mr. Ramras compared it to a CPR course; always the same. Co-Chair Chenault stated that if new information is included in the test, he supports the bill.

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Representative Weyhrauch asked if there are accommodations for blind bartenders. Representative Ramras said an amendment could be entertained for alternate methods of testing. Representative Weyhrauch inquired if proof of completion could be a card or something else. Representative Ramras explained that presently everyone is issued a card. Troopers can request that the cards be shown, so cards are used to keep it simple.

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Representative Foster MOVED to report HB 213 out of Committee with individual recommendations and the accompanying fiscal note.

HB 213 was REPORTED out of Committee with a "do pass" recommendation and with a zero fiscal impact note by the Department of Public Safety.

ADJOURNMENT

The meeting was adjourned at 2:59 PM.