

**ALASKA STATE LEGISLATURE
SENATE RESOURCES STANDING COMMITTEE**

May 9, 2007

4:03 p.m.

MEMBERS PRESENT

Senator Charlie Huggins, Chair
Senator Gary Stevens
Senator Lesil McGuire
Senator Thomas Wagoner
Senator Lyda Green
Senator Bill Wielechowski

MEMBERS ABSENT

Senator Bert Stedman, Vice Chair

COMMITTEE CALENDAR

CS FOR HOUSE BILL NO. 186(FSH)

"An Act relating to sharing with certain federal agencies records required of sport fishing guides; and providing for an effective date."

MOVED CSHB 186(FSH) OUT OF COMMITTEE

CS FOR HOUSE BILL NO. 176(RES)

"An Act creating the Fort Rousseau Causeway State Historical Park."

HEARD AND HELD

HOUSE BILL NO. 165

"An Act relating to providing field accommodations for big game hunters."

HEARD AND HELD

PREVIOUS COMMITTEE ACTION

BILL: HB 186

SHORT TITLE: SPORT FISHING GUIDE RECORDS

SPONSOR(S): REPRESENTATIVE(S) HARRIS BY REQUEST

03/12/07	(H)	READ THE FIRST TIME - REFERRALS
03/12/07	(H)	FSH, RES
03/19/07	(H)	FSH AT 8:30 AM BARNES 124
03/19/07	(H)	Heard & Held
03/19/07	(H)	MINUTE(FSH)

03/21/07 (H) FSH AT 8:30 AM BARNES 124
 03/21/07 (H) Moved CSHB 186(FSH) Out of Committee
 03/21/07 (H) MINUTE(FSH)
 03/22/07 (H) FSH RPT CS(FSH) NT 4DP 2NR
 03/22/07 (H) DP: JOHNSON, LEDOUX, EDGMON, SEATON
 03/22/07 (H) NR: JOHANSEN, HOLMES
 03/26/07 (H) RES AT 1:00 PM BARNES 124
 03/26/07 (H) -- MEETING CANCELED --
 03/28/07 (H) RES AT 1:00 PM BARNES 124
 03/28/07 (H) Moved CSHB 186(FSH) Out of Committee
 03/28/07 (H) MINUTE(RES)
 03/29/07 (H) RES RPT CS(FSH) NT 6DP 2NR
 03/29/07 (H) DP: ROSES, WILSON, SEATON, EDGMON,
 GATTO, JOHNSON
 03/29/07 (H) NR: KAWASAKI, GUTTENBERG
 03/30/07 (H) TRANSMITTED TO (S)
 03/30/07 (H) VERSION: CSHB 186(FSH)
 04/02/07 (S) READ THE FIRST TIME - REFERRALS
 04/02/07 (S) RES
 04/20/07 (S) RES AT 3:30 PM BUTROVICH 205
 04/20/07 (S) Heard & Held
 04/20/07 (S) MINUTE(RES)
 04/23/07 (S) RES AT 3:30 PM BUTROVICH 205
 04/23/07 (S) Scheduled But Not Heard
 04/27/07 (S) RES AT 3:30 PM BUTROVICH 205
 04/27/07 (S) Scheduled But Not Heard
 05/09/07 (S) RES AT 4:00 PM BUTROVICH 205

BILL: HB 176

SHORT TITLE: CREATE FORT ROUSSEAU CAUSEWAY PARK

SPONSOR(S): REPRESENTATIVE(S) WILSON

03/05/07 (H) READ THE FIRST TIME - REFERRALS
 03/05/07 (H) RES, FIN
 03/28/07 (H) RES AT 1:00 PM BARNES 124
 03/28/07 (H) Scheduled But Not Heard
 04/04/07 (H) RES AT 1:00 PM BARNES 124
 04/04/07 (H) Moved CSHB 176(RES) Out of Committee
 04/04/07 (H) MINUTE(RES)
 04/10/07 (H) RES RPT CS(RES) 6DP
 04/10/07 (H) DP: ROSES, SEATON, KOHRING, GUTTENBERG,
 GATTO, JOHNSON
 04/19/07 (H) FIN AT 1:30 PM HOUSE FINANCE 519
 04/19/07 (H) Moved CSHB 176(RES) Out of Committee
 04/19/07 (H) MINUTE(FIN)
 04/20/07 (H) FIN RPT CS(RES) 7DP 1NR

04/20/07 (H) DP: NELSON, THOMAS, CRAWFORD, JOULE,
STOLTZE, HAWKER, MEYER
04/20/07 (H) NR: KELLY
04/30/07 (H) TRANSMITTED TO (S)
04/30/07 (H) VERSION: CSHB 176(RES)
05/02/07 (S) READ THE FIRST TIME - REFERRALS
05/02/07 (S) RES, FIN
05/09/07 (S) RES AT 4:00 PM BUTROVICH 205

BILL: HB 165

SHORT TITLE: BIG GAME GUIDES AND TRANSPORTERS

SPONSOR(S): REPRESENTATIVE(S) LEDOUX

02/28/07 (H) READ THE FIRST TIME - REFERRALS
02/28/07 (H) RES
03/12/07 (H) RES AT 1:00 PM BARNES 124
03/12/07 (H) Heard & Held
03/12/07 (H) MINUTE(RES)
03/19/07 (H) RES AT 1:00 PM BARNES 124
03/19/07 (H) Moved Out of Committee
03/19/07 (H) MINUTE(RES)
03/21/07 (H) RES RPT 8DP 1NR
03/21/07 (H) DP: WILSON, ROSES, GUTTENBERG, EDGMON,
KOHRING, SEATON, GATTO, JOHNSON
03/21/07 (H) NR: KAWASAKI
05/01/07 (H) RETURNED TO RLS COMMITTEE
05/05/07 (H) TRANSMITTED TO (S)
05/05/07 (H) VERSION: HB 165
05/07/07 (S) READ THE FIRST TIME - REFERRALS
05/07/07 (S) RES, JUD
05/09/07 (S) RES AT 4:00 PM BUTROVICH 205

WITNESS REGISTER

TOM WRIGHT

Staff to Speaker Harris

Alaska State Capitol

Juneau, AK 99801-1182

POSITION STATEMENT: Available to answer questions on CSHB 186(FSH).

DOUG VINCENT-LANG

Special Projects

Alaska Department of Fish and Game (ADF&G)

Anchorage AK

POSITION STATEMENT: Supported CSHB 186(FSH).

JERRY MCCUNE

United Fishermen of Alaska
Juneau AK

POSITION STATEMENT: Supported CSHB 186(FSH).

REPRESENTATIVE PEGGY WILSON

Alaska State Capitol
Juneau, AK 99801-1182

POSITION STATEMENT: Sponsor of HB 176.

CLIFF STONE

Staff to Representative Wilson
Alaska State Capitol
Juneau, AK 99801-1182

POSITION STATEMENT: Answered questions on HB 176.

MIKE EBERHARDT, Superintendent

Southeast Area Parks
Division of Parks and Outdoor Recreation
Department of Natural Resources (DNR)
Juneau AK

POSITION STATEMENT: Supported HB 176.

REPRESENTATIVE GABRIELLE LEDOUX

Alaska State Capitol
Juneau, AK 99801-1182

POSITION STATEMENT: Sponsor of HB 165.

SUZANNE HANCOCK

Staff to Representative LeDoux

POSITION STATEMENT: Available to answer questions on HB 165.

BOBBY FITHIAN, Executive Director

Alaska Professional Hunters Association

POSITION STATEMENT: Supported HB 165.

ACTION NARRATIVE

CHAIR CHARLIE HUGGINS called the Senate Resources Standing Committee meeting to order at [4:03:58 PM](#). Present at the call to order were Senators Wagoner, Stevens, McGuire and Huggins.

HB 186-SPORT FISHING GUIDE RECORDS

CHAIR HUGGINS announced HB 186 to be up for consideration. [CSHB 186(FSH) was before the committee.]

TOM WRIGHT, staff to Speaker John Harris, sponsor of HB 186, said he didn't have anything to add to previous testimony.

[4:05:09 PM](#)

DOUG VINCENT-LANG, Special Projects, Alaska Department of Fish and Game (ADF&G), said questions were raised in the last hearing about how confidentiality of this data would be assured. So, he provided the committee with a memo from Kirk Brogdon, Division of Fish, indicating that the security process the ADF&G has in place doesn't allow sharing of information within the department or with public. Secondly, once the data has been transferred, he explained that this bill would allow for an MOU to be signed by the department and the National Marine Fisheries Service. It would provide that a witness-approved certificate must be signed by anyone in the federal government who gets access to this information and has penalties associated non-compliance. The penalties consist of a violation of federal law, which is punishable by a minimum of six months and a maximum of a year in prison and a \$100,000 fine.

CHAIR HUGGINS asked him to remind the committee why this bill is needed.

MR. LANG replied that this bill is needed so that information on some management issues with the sport charter fleet can be shared with the National Marine Fishery Service at its June meeting. Some options, like annual limits, might not be available to them without this data.

[4:06:24 PM](#)

SENATOR WAGONER asked if the department would keep a running tally of quota and poundage and turn it in weekly or monthly.

MR. LANG replied that the data has to be turned in weekly to the department.

[4:07:05 PM](#)

JERRY MCCUNE, United Fishermen of Alaska, supported HB 186 for all the reasons previously stated.

[4:07:43 PM](#)

SENATOR STEVENS moved to pass CS for HB 186 from committee with individual recommendations and attached zero fiscal note. There were no objections and CSHB 186(FSH) moved from committee.

[4:08:12 PM](#) at ease [4:08:26 PM](#)

HB 176-CREATE FORT ROUSSEAU CAUSEWAY PARK

CHAIR HUGGINS announced HB 176 to be up for consideration. [CSHB 176(RES) was before the committee.] He asked Representative Wilson to give them a brief background on the park.

4:08:40 PM

REPRESENTATIVE PEGGY WILSON, sponsor of HB 176, replied that during World War II the Army wanted to have a defense across Sitka in case the Japanese came back. So, they connected 800 ft. of causeway from one island to another and to this day many historical artifacts are still there - like an anti-aircraft gun, bunkers and ammo magazine structures. This causeway has already been added to the National Registry of Historical Places and has been designated as a landmark by the National Park Service. This bill makes sure that it becomes the Fort Rousseau Causeway State Historical Park.

SENATOR STEVENS asked who Rousseau was. When no one knew the answer, he added that he was the commander of the American troops when Sitka became a part of the United States in 1867.

REPRESENTATIVE WILSON said Alaska doesn't have many areas that go back to WWII and this bill is trying to preserve this history. She explained that Sitka Trail Works was awarded a federal grant of \$140,700 to begin work on renovating the Fort Rousseau Causeway and \$60,000 of the grant money was given to the State's Historical Preservation Office in the Department of Natural Resources (DNR) to pay for site mapping, culture survey and inventory work; another \$14,000 was used for a phase 1 environmental assessment. Another federal trails grant is pending for this project in the federal transportation legislation for 2008 and 2009.

She said the causeway business plan shows modest tourism dollars of around \$12,000 per year at first. As the program grows, the budget will be about \$16,800 per year which would eventually be supplanted by tourism dollars with an additional \$20,000 going into the general fund to be used for other parks. She explained further that the idea is to take tourists back and forth and there is no way to get to the island except on a boat.

CHAIR HUGGINS asked if that was what the "boat charter costs associated with assessing the site" referred to in the fiscal note.

CLIFF STONE, staff to Representative Wilson, explained that the fiscal note is based on what it would take DNR to manage the site. He thought that need for the fiscal note would go away as tourist dollars supplanted it.

[4:13:51 PM](#)

SENATOR GREEN and SENATOR WIELECHOWSKI joined the committee.

CHAIR HUGGINS said he knew of a proposed boat launch in a state park that had a fiscal note of \$100,000 just to run it.

SENATOR MCGUIRE commented, "It depends on whether they like the project or not."

MR. STONE added that this is not done very often; the folks in Sitka know it's a special occasion.

CHAIR HUGGINS asked if he had heard of any opposition to the bill.

MR. STONE replied no and that he had a packet full of support.

CHAIR HUGGINS asked if it's on the National Register.

MR. STONE replied yes.

[4:15:51 PM](#)

SENATOR MCGUIRE asked if the community is already used to those rules since it's already designated as a park.

REPRESENTATIVE WILSON replied that it is designated as a historical place right now by the National Park Service.

[4:17:19 PM](#)

MIKE EBERHARDT, Superintendent for Southeast Area Parks, Division of Parks and Outdoor Recreation, Department of Natural Resources (DNR), explained that being listed on the National Historic Register requires the land manager to abide by certain rules to preserve the resources. That land currently is not managed as a park unit. Actually the DOT has been managing it with the FAA and its use has been very restricted because of 9/11 and airport security issues. Its management will be changed from general state land to state park statutes.

[4:19:13 PM](#)

SENATOR MCGUIRE said she wanted more clarification on page 3, lines 19 - 21, where it says the commissioner may designate by

regulation incompatible uses within the land and water of the Fort Rousseau Causeway State Historical Park. She was afraid that regulations would be written that were never intended. She asked if "land and water" meant fishing, for instance.

MR. EBERHARDT responded that all water was purposely left out of the bill except where the dock is so as to not create a conflict with existing fisheries. The bill concerns only the uplands and doesn't go into the park and local citizens have not voiced any objections.

[4:21:28 PM](#)

REPRESENTATIVE WILSON added that the land itself used to be connected to the airport, but it was cut off in the 80s when the airport was built. You can't walk or drive there.

CHAIR HUGGINS asked what activities are going on presently that anyone would protest.

REPRESENTATIVE WILSON replied that the land is too close to the airport to have shooting.

SENATOR GREEN asked what would happen if this bill didn't pass.

REPRESENTATIVE WILSON replied that there are lots of volunteers who would try to keep up preservation of the area.

CHAIR HUGGINS announced that HB 176 would be held in committee.

HB 165-BIG GAME GUIDES AND TRANSPORTERS

[4:23:39 PM](#)

CHAIR HUGGINS announced HB 165 to be up for consideration.

REPRESENTATIVE GABRIELLE LEDOUX, sponsor of HB 165, said that it rights an inadvertent wrong and promotes economic development in rural areas. It is an act related to providing field accommodations for big game hunters. She explained in 1996, much needed legislation was enacted to define who is a big game hunter, outfitter, or transporter and to provide regulations for licensing and other considerations. However, there was no provision for the person who merely wants to rent his or her cabin to people who may or may not be hunting. Many people in rural Alaska have extra cabins or whose cabins are empty for part of the year.

REPRESENTATIVE LEDOUX reminded them that it is very difficult to generate economic development in rural areas and this bill will enable those people to provide a service and make little bit of additional money. She said that members of the Big Game Commercial Services Board have worked with her office in order to craft a bill that will protect their interests while allowing others to do business.

SUZANNE HANCOCK, staff to Representative LeDoux, said she was available to answer questions.

[4:26:03 PM](#)

BOBBY FITHIAN, Executive Director, Alaska Professional Hunters Association, supported HB 165, which fills a void in statutory language that relates to legitimate use of privately owned lodges, houses or cabins.

[4:27:05 PM](#)

CHAIR HUGGINS asked how professional hunters have operated in the last couple of years without this bill.

MR. FITHIAN replied that the people who asked Representative LeDoux to address this issue have had a real serious challenge in dealing with the Division of Public Safety, the Big Game Commercial Services Board, and with agencies that own land around their private properties in trying to get the right to rent their privately-owned cabins to big game hunters in the field. He explained that defining the laws, regulations and statutes pertaining to who can supply or provide what kind of services to big game hunters in the field has been complex and challenging and a loophole was found that didn't address these cabins.

CHAIR HUGGINS asked who is doing the challenging.

MR. FITHIAN replied that mainly the Department of Public Safety has been trying to figure out how to address private property holders, because current regulations and statutes forbid renting of privately-owned cabins to big game hunters. This bill address only cabins on private land, not on public land.

[4:31:16 PM](#)

SENATOR MCGUIRE said she was concerned about over-regulation and unintended consequences. She asked if this covered cases where an individual owns a private cabin on public land.

REPRESENTATIVE LEDOUX replied that those situations are not accommodated in this bill, which is only about private property. She noted that this bill has a further Judiciary referral.

CHAIR HUGGINS thanked everyone for their testimony and said HB 165 would be held in committee.

There being no further business to come before the committee, Chair Huggins adjourned the meeting at [4:32:46 PM](#).