

**ALASKA STATE LEGISLATURE
HOUSE RESOURCES STANDING COMMITTEE**

April 14, 2010

9:36 a.m.

MEMBERS PRESENT

Representative Craig Johnson, Co-Chair
Representative Mark Neuman, Co-Chair
Representative Bryce Edgmon
Representative Kurt Olson
Representative Paul Seaton
Representative Peggy Wilson
Representative David Guttenberg
Representative Scott Kawasaki
Representative Chris Tuck

MEMBERS ABSENT

All members present

COMMITTEE CALENDAR

HOUSE BILL NO. 246

"An Act relating to the licensing and regulation of sport fishing operators and sport fishing guides and licensing and registration of sport fishing vessels; and providing for an effective date."

- MOVED CSHB 246(RES) OUT OF COMMITTEE

COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 294(FIN)

"An Act amending the termination date of the licensing of sport fishing operators and sport fishing guides; and providing for an effective date."

- SCHEDULED BUT NOT HEARD

PREVIOUS COMMITTEE ACTION

BILL: HB 246

SHORT TITLE: SPORT FISH GUIDE LICENSES

SPONSOR(S): REPRESENTATIVE(S) NEUMAN

04/19/09	(H)	READ THE FIRST TIME - REFERRALS
04/19/09	(H)	FSH, RES
03/16/10	(H)	FSH AT 10:15 AM BARNES 124

03/16/10 (H) Heard & Held
03/16/10 (H) MINUTE(FSH)
03/18/10 (H) FSH AT 10:15 AM BARNES 124
03/18/10 (H) Moved Out of Committee
03/18/10 (H) MINUTE(FSH)
03/19/10 (H) FSH RPT 3DP 2NR
03/19/10 (H) DP: KELLER, BUCH, EDGMON
03/19/10 (H) NR: JOHNSON, MUNOZ
03/19/10 (H) FIN REFERRAL ADDED AFTER RES
03/24/10 (H) RES AT 1:00 PM BARNES 124
03/24/10 (H) Scheduled But Not Heard
04/13/10 (H) RES AT 9:00 AM BARNES 124
04/13/10 (H) Scheduled But Not Heard
04/14/10 (H) RES AT 9:00 AM BARNES 124

WITNESS REGISTER

JIM ELLIS, Staff
Representative Mark Neuman
Alaska State Legislature

POSITION STATEMENT: Presented HB 246 on behalf of
Representative Neuman, sponsor.

CHARLES SWANTON, Director
Division of Sport Fish
Alaska Department of Fish & Game (ADF&G)
Juneau, Alaska

POSITION STATEMENT: During hearing on HB 246, answered
questions.

ACTION NARRATIVE

[9:36:49 AM](#)

CO-CHAIR MARK NEUMAN called the House Resources Standing
Committee meeting to order at 9:36 a.m. Representatives Tuck,
P. Wilson, Olson, Edgmon, and Neuman were present at the call to
order. Representatives Kawasaki, Seaton, Guttenberg, and
Johnson arrived as the meeting was in progress.

HB 246-SPORT FISH GUIDE LICENSES

[9:37:13 AM](#)

CO-CHAIR NEUMAN announced that the only order of business is
HOUSE BILL NO. 246, "An Act relating to the licensing and

regulation of sport fishing operators and sport fishing guides and licensing and registration of sport fishing vessels; and providing for an effective date."

[9:37:18 AM](#)

REPRESENTATIVE P. WILSON moved to adopt CSHB 246, Version 26-LS0929\S, Kurtz/Kane, 4/12/10, as the working document. There being no objection, Version S was before the committee.

[9:38:08 AM](#)

JIM ELLIS, Staff, Representative Mark Neuman, explained that HB 246 extends Alaska's sport fish guide licensing and reporting program for two years. The legislation also limits license fees for a sport fishing operator and sport fishing operator guide to \$50. Mr. Ellis specified that the program gathers important fisheries data through the log book program. The data is used in management in terms of making decisions regarding which fisheries are doing well and which are not and provides some professional standards for sport fishing guides and guide operators. Collecting this data allows Alaska's sport anglers to be exempt from the National Saltwater Angler Registry and its requirement to purchase an additional tag as well as a license to fish.

[9:39:17 AM](#)

CO-CHAIR NEUMAN said that the legislation basically addresses the fees that active guides pay the department when they obtain their guide log books and specifies a new sunset date for the program.

MR. ELLIS confirmed that Version S changes the sunset date of the program from January 1, 2011, to January 1, 2013.

[9:40:00 AM](#)

REPRESENTATIVE P. WILSON inquired as to how long the existing fishing services license fees have been in place. She also inquired as to why [two of the fees] are being reduced.

MR. ELLIS responded that he was unsure how long these fees have been in place.

CO-CHAIR NEUMAN answered that the fees have been in place for four years, and this legislation adds two more years.

Originally, the department requested that there be no sunset date. However, he opined that it's important for expenditures to the guides have legislative oversight. Co-Chair Neuman reiterated that this is an important program. The guide log books helps establish a record of fish movement in the state. The reduction in fees from \$100 to \$50 was in response to sport fish guides who pay to collect the data; the \$50 fee seems more appropriate, he remarked. Co-Chair Neuman related that he also reviewed the federal funds that [the Alaska Department of Fish & Game] receives for federal restorations. In fact, this year there is fish and wildlife assistance in the amount of \$19 million. He opined that he's trying to help [fishing guides] as best he can during this downturn in the economy.

[9:43:49 AM](#)

CHARLES SWANTON, Director, Division of Sport Fish, Alaska Department of Fish & Game (ADF&G), explained that SB 246 basically specifies minimum guide standards and data collection. The department's preference would be the Senate version of this legislation, which extends the sunset date to January 1, 2017, or the House Special Committee on Fisheries version that has no sunset. With regard to the fees, they have been in place since January 1, 2005. The sport fishing operator and business owner combination license under Version M is reduced from \$100 to \$50, and therefore the fees for a sport fish operator, sport fish guide, and sport fish operator and guide combination are all \$50. If Version S passes, a fiscal note will likely have to be constructed due to the change in fees. Mr. Swanton opined that the effect of the reduction of fees would be \$100,000-\$150,000 reduction in revenue. The cost of the program is \$437,600 per year and the fees from this licensing generate approximately \$240,000 and the remainder is made up with ADF&G funds, which are resident and nonresident license fees.

[Co-Chair Neuman passed the gavel to Co-Chair Johnson.]

[9:46:26 AM](#)

REPRESENTATIVE P. WILSON inquired as to how many fishermen obtain all three licenses.

MR. SWANTON answered that there's an average of 1,647 business licenses are issued and 1,882 sport fish guide licenses are issued. Those are averages from 2005-2009.

[9:47:06 AM](#)

REPRESENTATIVE P. WILSON noted that ADF&G never has enough money for to accomplish all it needs to do. Therefore, she expressed concern about decreasing the fee revenue when the previous fee revenues didn't cover the costs. Representative Wilson said she likes the 2017 sunset date in the Senate legislation, and asked how the sponsor would feel about such an extension.

CO-CHAIR NEUMAN related concern that currently there are many fisheries in flux in terms of their management, such as the Alaska Yukon [Delta] and the Chitina dipnet fishery. Having a two-year sunset [provides some legislative oversight/review].

[9:49:57 AM](#)

REPRESENTATIVE P. WILSON emphasized that she is very concerned about decreasing the fees and subsequently funds to the department. Since there are problems related to not having enough fish, it is all the more reason to ensure the department has enough money to perform the research it needs to do. She highlighted the importance of having good data, which sport fishermen likely realize as well. With fewer funds, it will be that much more difficult for the department to ensure the research is done.

CO-CHAIR NEUMAN reiterated that there was an over \$2 million increase in federal funds for fish and wildlife management assistance and sport fish restorations.

[9:51:26 AM](#)

REPRESENTATIVE GUTTENBERG surmised that folks are more likely to get the combination license because it costs the same as the single license. He asked if those who are eligible to get one license, either the sport fishing operator license or the sport fishing guide license, are eligible to get the other license.

MR. SWANTON explained that the [sport fishing operator and sport fishing guide] combination license is an individual who owns the business and is also a guide. Whereas an owner of the business who doesn't guide would only purchase the [sport fishing operator license] and have employees, guides, who work for the owner and who hold the sport fishing guide license.

REPRESENTATIVE GUTTENBERG pointed out that the sport fishing operator license and the combination license are both reduced to \$50 in Version S. Therefore, the purchase of a combination

license is a "two for one," which he opined was the sponsor's intent.

[9:53:54 AM](#)

REPRESENTATIVE EDGMON surmised that HB 246 only applies to commercial sport fish operators and doesn't apply to an individual who is a noncommercial operator that purchases a sport fishing license to fish for himself/herself.

MR. SWANTON answered that to be correct.

REPRESENTATIVE EDGMON said he does not support doing this. He opined that a \$50 or \$100 fee isn't a great amount for these commercial operations. To transfer this burden to the state's general fund is not good public policy, he stated. He then announced that he will be offering an amendment to keep the current fees intact. He clarified that he supports extending the Alaska's sport fish guide licensing and reporting program. He then mentioned how costly it is to forward legislation through the legislative process, and thus he questioned why the extension wouldn't be for five years.

[9:56:49 AM](#)

CO-CHAIR JOHNSON stated that for every corporate jet in Representative Edgmon's district there is a motor home, a 15 horse power Yamaha and a small boat with a guide guiding people down the Deshka River. These are people for which \$50 or \$100 matters.

REPRESENTATIVE EDGMON pointed out the fee is a deductible expense and he would prefer \$100 deduction rather than a \$50 deduction.

[9:58:09 AM](#)

CO-CHAIR NEUMAN reminded the committee that the department has achieved some efficiency in managing this program as the data is now electronically processed. He then related that he has received many emails regarding the budget and the cost of government. Therefore, if there are efficiencies, it should be passed on to the affected people.

[9:59:45 AM](#)

REPRESENTATIVE KAWASAKI asked how many guides are also the owners of their own business.

MR. SWANTON, referring to page 2 of the Sport Fishing Guide Licensing Brief," informed the committee that on average about 1,647 sport fishing business licenses, which include owner/operator combination licenses have been sold. However, to answer the question would require further research.

[10:01:03 AM](#)

REPRESENTATIVE KAWASAKI then asked whether the 2010 Saltwater Sport Fishing Charter Trip Logbook Page has been put into electronic form.

MR. SWANTON explained that the sheet in the committee packet is the department's attempt at a logbook sheet that can be scanned, which will be imposed for saltwater in 2010. The same exercise will occur for freshwater logbook sheets, such that they will be reviewed, simplified, obtain public input, and making modifications. The plan is to have a freshwater logbook that can be scanned in 2011. The logbooks that can be scanned will decrease the current eight to nine months that it takes to process data to one to two weeks. Although the timeliness and accessibility of the data will be better, the efficiency or cost savings of logbooks that can be scanned can't be estimated at this time.

REPRESENTATIVE KAWASAKI surmised that every time a charter operator takes a person out in a boat, one of these logbooks must be filled out. He further surmised that if an individual takes another individual out on his personal boat, he wouldn't have to fill out one of these logbooks.

MR. SWANTON responded that's correct.

[10:04:04 AM](#)

REPRESENTATIVE KAWASAKI related his understanding from the sponsor statement that there is value in collecting this data. However, he questioned the true value of this data to the Board of Fisheries if only guides provided it.

MR. SWANTON informed the committee that the department has other data collecting mechanisms similar to the electronic logbooks that are used for the average recreational angler, whether it's a resident or nonresident. Those mechanisms include the

statewide harvest survey program, which has been ongoing since 1977. The data from the statewide harvest survey program is used in conjunction with the logbook data. For some intensive fisheries, the department also uses an onsite creel survey program to collect data. Therefore, there are multiple data collection methods in order to provide complete and comprehensive coverage for the fisheries statistics that are necessary to manage the fisheries.

REPRESENTATIVE KAWASAKI requested Mr. Swanton cite specific examples in which, over the last couple of years, the logbook data was used for Board of Fisheries recommendations.

MR. SWANTON answered that although he can't cite specific examples, he's almost positive that the logbook data has been included to the information provided to the Board of Fisheries.

[10:06:38 AM](#)

REPRESENTATIVE OLSON, in regard to changing the license fees, noted his agreement with Representative Guttenberg's earlier comments. There isn't an accurate break down with regard to what people are willing to pay for these licenses and the division isn't being given a tool to determine the numbers of people in each class.

[10:07:29 AM](#)

CO-CHAIR JOHNSON asked if an individual has to prove he/she is a guide/owner prior to obtaining a license.

MR. SWANTON answered that an individual can't simply say he/she is a guide and obtain a license. A myriad of documentation is required.

CO-CHAIR JOHNSON pointed out that a guide could prove he's a guide, while the owner/operator would have to have additional [document] requirements. Therefore, there is a manner in which to distinguish an owner/operator versus a guide. Perhaps, the purpose behind this [reduction in fees] is related to the additional costs required for an owner/operator versus just being an operator or just a guide. He noted that to be a guide on the Kenai one has to have training, go to college.

MR. SWANTON informed the committee that it's a separate program. He specified that the Kenai training doesn't fall under ADF&G's regulatory authority. Under the Department of Natural

Resources' authority, guides on the Kenai are required to go through a week-long guide college.

CO-CHAIR JOHNSON clarified that his point is that there are other costs in some fisheries. The additional expenses of the owner/operator may be why the decrease in the fees is being suggested.

[10:10:06 AM](#)

REPRESENTATIVE KAWASAKI related his understanding that [license fees] have to support receipts-supported licensures. He asked if the licenses being discussed today are different.

MR. SWANTON pointed out the fees being discussed today are set in statute while those [receipt-supported licenses] are covered separately under occupational licensing.

[10:11:32 AM](#)

CO-CHAIR NEUMAN recalled that in the past the legislature has decreased the fee for business licenses. Co-Chair Neuman asked if the reducing funding due to the reduction in fees is something Mr. Swanton can live with.

MR. SWANTON answered that if the proposed decrease in license fees was any other time, in terms of sport fishing license sales, it might be something that could be absorbed. However, over the past couple of years, sales of nonresident licenses have decreased. This reduction has been primarily occurred in Southcentral and Southeast Alaska. The reduction has been in the amount of about 70,000 licenses, which has resulted in a substantial decline in ADF&G revenue. The ADF&G revenue is used to match the sport fish restoration, which are federal pass-through dollars. Mr. Swanton concluded that this further decrease in fees, while not crippling, would have a major impact.

[10:13:28 AM](#)

REPRESENTATIVE KAWASAKI noted that one must report what he/she has harvested in the Chitina dip netting fishery. He asked if any thought has been given to collecting the data in another manner, rather than placing the burden on the charter operator.

MR. SWANTON remarked that the Chitina dip net [reporting] is not all that different than the logbook sheets, it's just coming

from a different source and there's substantially more of them. The technology to directly transfer the data electronically from the guide at this point doesn't exist.

[10:15:11 AM](#)

REPRESENTATIVE EDGMON inquired as to the number of sport fishing guide licenses referred to by Co-Chair Johnson would be captured by the fee referenced on page 1, line 10.

MR. SWANTON estimated that it would be a smaller fraction, but noted that he doesn't have a way to calculate that without the statistics before him.

REPRESENTATIVE EDGMON clarified that he is trying to understand whether the small operators Co-Chair Johnson referenced earlier have to pay the existing \$100 for the sport fishing operator license of the combination license.

MR. SWANTON answered that he was unsure whether he has that information with him.

[10:17:20 AM](#)

CO-CHAIR JOHNSON asked if using cruise ship taxes has been considered.

MR. SWANTON opined that he was unsure whether moving into that realm would be simple.

CO-CHAIR JOHNSON remarked that he partially asked the question in jest, but then opined that if "we can support a bison ranch in Anchorage, I don't know why we can't support fishing in Southeast."

[10:18:31 AM](#)

REPRESENTATIVE SEATON reminded the committee that the Division of Sport Fish is charged with monitoring sport fish as well as personal use fisheries. The Division of Sport Fish has had inadequate funds to monitor the personal use fishery on the Kenai River. In fact, there has been almost no enumeration of the number of participants other than by the 33,000 who have applied for licenses. Furthermore, there's almost no monitoring of the catch or the export of fish by FedEx. If funds to the Division of Sport Fish are reduced by reducing these license

fees, would that further restrict the division's monitoring ability, he asked.

MR. SWANTON replied that at this point it would be premature for him to speculate what would or would not be eliminated as a result of the revenue reduction proposed in this legislation. The information Representative Seaton presented on the Kenai personal use fishery is somewhat simplified. In fact, he related that he personally spent six hours last summer reviewing permits and checking and verifying catches, licenses, and permits in the Kenai River fishery. Therefore, to so say there is virtually no monitoring is a simplification of the process.

[10:21:59 AM](#)

REPRESENTATIVE OLSON, noting that he has lived on the Kenai River for in excess of 15 years and lived near it for another 15 years, took exception to some of the comments. He related that from his house he can see a mile stretch of the mid-river section of the Kenai River, where utilization is down considerably compared to 15 years ago. He noted agreement that the pressure on the Kenai River is at the mouth of it, but not the total river system. Representative Olson told the committee that he sees the division's boats and the park's boats go by. He opined that there is more enforcement on the river than in the past when he would see only the morning boat go down the river at the time the guides entered the river. Representative Olson added that although pressure on the middle portion of the Kenai River has decreased and enforcement has increased, he didn't believe [enforcement] was adequate.

[10:23:10 AM](#)

REPRESENTATIVE SEATON clarified that he wasn't talking about the middle river, but rather if funds to the department were reduced. The department has the duty to review the lower end of the river, which has been a burgeoning fishery. He noted that the fishery fluctuates widely depending on the number of fish coming in on the tide. Therefore, he clarified that his point is that reducing the funds available for monitoring all of sport fishing will reduce the funds available for all monitoring, including fisheries that require an increase in monitoring.

REPRESENTATIVE OLSON asked if Representative Seaton was referring to the portion of the Kenai River from the bridge to the mouth.

REPRESENTATIVE SEATON replied yes.

[10:24:44 AM](#)

CO-CHAIR NEUMAN related his understanding that a tremendous amount of Pittman-Roberts money came into the state.

MR. SWANTON agreed, but highlighted that the Pittman-Roberts funds go to the Division of Wildlife. He then clarified that sport fish restoration funds are pass-through monies from excise taxes on boat fuels, equipment, et cetera and those funds go to the Division of Sport Fish.

CO-CHAIR NEUMAN opined that the commissioner has the ability to move funds where needed. He then asked if federal funds from a portion of the purchase of a fishing rod or hooks go to the state.

MR. SWANTON clarified that [the excise tax on] boats, fuel, fishing rods, hooks, gear, et cetera is distributed amongst the states through the sport fish restoration program. A similar program exists for the wildlife side, he reiterated. Those funds are fairly specific with regard to the particular activities that can be funded with those funds.

CO-CHAIR NEUMAN maintained that the overall funds to ADF&G have increased considerably this year.

[10:28:00 AM](#)

REPRESENTATIVE EDGMON surmised that if the proposed lower fees are passed, the lack of funds will have to come from elsewhere. Furthermore, the [proposed lower fees] will have negative impacts in regard to federal matching funds. He asked if the aforementioned is, in fact, the case.

MR. SWANTON concurred with Representative Edgmon's assessment, but noted that he doesn't know the extent of the negative impact with regard to federal matching funds.

CO-CHAIR JOHNSON inquired as to how much in federal matching funds are received currently and at what percentage.

MR. SWANTON, from the top of his head, he estimated that it's an average of \$16-\$18 million in sport fish restoration funds annually and an average of \$13-\$14 million in ADF&G funds, in terms of the match requirement. The match requirement is 75:25.

[10:29:15 AM](#)

CO-CHAIR JOHNSON inquired as to how much federal funds will be lost with the passage of the proposed reduction in fees.

MR. SWANTON posed a scenario in which there was a loss of \$150,000, which would result in a potential loss of \$450,000 in federal funds that could not be matched.

[10:29:59 AM](#)

CO-CHAIR NEUMAN pointed out that the cells for the federal receipts and general fund match on the fiscal note are blank.

MR. SWANTON related that no federal funds are for this particular program. However, if there isn't a reduction in the revenues ADF&G takes in, license sales funds from angler licenses would have to be used for this program and thus those funds would be removed from being able to be used for a federal match.

[10:31:32 AM](#)

CO-CHAIR JOHNSON opened public testimony. There being no one wishing to testify, he closed public testimony.

[10:32:19 AM](#)

REPRESENTATIVE EDGMON noted his appreciation for what the sponsor is attempting to do in terms of public policy. Although the fees are nominal to begin with, Representative Edgmon opined that there is merit, especially in comparison to other sectors of the fishing industry, to returning the fees to their original cost. [Returning to the original fees] is further supported given the impact of reduced fees on the division and its ability to support the program and attract federal dollars, he stated.

[10:33:34 AM](#)

REPRESENTATIVE EDGMON moved Conceptual Amendment 1, which would return the fee structure on page 1, lines 9 and 12, to its existing rates of \$100.

REPRESENTATIVE KAWASAKI objected and related a different procedural route the committee could take.

CO-CHAIR JOHNSON stated that there is already a motion to adopt Conceptual Amendment 1.

CO-CHAIR NEUMAN objected.

[10:34:50 AM](#)

CO-CHAIR NEUMAN related that this is an issue he has followed closely for years and Version S is in response to what is occurring in Representative Edgmon's district as well as other issues in the state. Co-Chair Neuman opined that [one of the goals with HB 246] is to become more efficient in government, which would be achieved by using documents that can be scanned. The aforementioned results in a small reduction of labor and thus costs savings, which he indicated should be passed on to the people.

[10:37:30 AM](#)

CO-CHAIR NEUMAN told the committee four to five years ago, the legislature appropriated \$1 million to perform a tagging and retagging and fish wheel program. The legislature appropriated another \$500,000 to obtain an opinion regarding the value of sport caught fish. He requested a copy of the draft version of that opinion, which was paid for by the legislature through a capital appropriation. However, he was told he could not have a copy of the opinion, which he charged is a public record. He then asked Legislative Legal Services to provide an opinion, which read as follows:

As I understand the facts, the Alaska State Legislature appropriated \$500,000 to the Alaska Department of Fish & Game for a study of the economic value of sport fish. The Alaska Department of Fish & Game issued a request for proposals, which was awarded. The Alaska Department of Fish & Game has now received the report, but does not want to disclose it because it wants to edit it to make it clearer. The report fits the definition of a public record under Alaska Statute, as a writing that is received by a public agency and it is preserved for its informational value. In addition, of course, was the subject of a specific appropriation, which strengthens it statute as a public record. The specific legislative appropriation for this report also eliminates any argument that the report is subject to the deliberative process privilege.

CO-CHAIR NEUMAN surmised then that this opinion is public information. Co-Chair Neuman emailed [Legislative Legal Services' opinion]. Upon meeting with the director regarding HB 246, the director said that he hadn't opened the attachment. Therefore, Co-Chair Neuman provided the [commissioner] a hard copy, which the commissioner did not read at that time. Co-Chair Neuman interpreted this as a blatant illustration that the commissioner didn't want to review this. In a more recent discussion with the commissioner, Co-Chair Neuman discussed the issue again. During that discussion, Co-Chair Neuman reminded the director that legislators are elected officials, the voice of the public. He further reminded the director that the legislature sets policy and the administration administers that policy. Co-Chair Neuman stated his dismay with such lack of response. He echoed his earlier comment regarding his desire to pass on efficiencies to the public, but added that he is also trying to establish an example that the authority of the legislature is respected and that the voice of legislator's constituents matter and have a say with regard to how public funds are spent. Ultimately, Co-Chair Neuman questioned what tools the legislature has [to obtain such public information].

CO-CHAIR NEUMAN concluded by reminding the committee that the department has received a lot of extra money this year. The department, he opined, won't be substantially [negatively] impacted by [Version S]. The reduction in fees merely amounts to a \$200,000. Co-Chair Neuman opined that the principle is to ensure that the public's information is protected. He then maintained his vehement objection to Conceptual Amendment 1.

CO-CHAIR JOHNSON requested a copy of the earlier referenced [opinion from Legislative Legal Services] to be distributed to the committee.

[10:44:14 AM](#)

REPRESENTATIVE EDGMON, in rebuttal, highlighted that HB 246 applies to commercial operators in the sport fishing sector, not noncommercial operators. In terms of efficiencies and the cost to run the programs, he questioned why one small portion of the array of fees and licenses in an industry is being addressed. Again, he stated that these fees are nominal. [Version S] goes above and beyond what the Senate companion legislation addresses. In essence, a decrement is being applied to sport fishing. The funds not obtained due to the reduced license fees will have to come from somewhere, and furthermore the lack of

funds won't be present to attract federal dollars. In conclusion, Representative Edgmon said he stands firmly with Conceptual Amendment 1.

[10:46:44 AM](#)

REPRESENTATIVE TUCK agreed that the fees are nominal. For example, his electrician's license cost \$280 and requires 16 hours of continuing education prior to each renewal of that license or passage of a test. Furthermore, he had to attend a five-year apprenticeship program to even acquire his electrician license. Representative Tuck reminded the committee that some of the reasons for licenses are to protect the public and the health of the practitioners. In this case, it is to protect the resource by having accurate data to determine how best to protect it. Representative Tuck related his desire to maintain the existing fees and extending the licenses for two more years in order to continue to acquire data. The reporting procedure seems fairly simple and allows trends to be tracked, although he acknowledged the nine-month lag. Representative Tuck related his support for Conceptual Amendment 1.

[10:48:29 AM](#)

REPRESENTATIVE GUTTENBERG related his understanding that with Conceptual Amendment 1, the intent is return the fees on page 1, lines 9 and 11 to \$100.

CO-CHAIR JOHNSON agreed that to be the intent.

[10:49:04 AM](#)

CO-CHAIR NEUMAN offered an amendment to Conceptual Amendment 1, such that the fee on page 1, line 9, stays at \$50 while the fee on page 1, line 11, is returned to \$100.

[10:49:48 AM](#)

REPRESENTATIVE SEATON objected to the proposed amendment to Conceptual Amendment 1. He then reminded the committee that two years ago the Commercial Fisheries Entry Commission (CFEC) stated that the fees for commercial licenses wouldn't keep pace with increased expenses. The aforementioned resulted in an increase in operator license fees. The intent of the legislature, he opined, was for the fees for commercial operations to cover the expenses of the program. He opined that the fees in [Version S] should cover the expenses, but they do

not. Representative Seaton related that although he isn't offering an amendment to raise these fees, he can't support reducing them and creating an unfunded mandate through the amendment to Conceptual Amendment 1.

[10:52:33 AM](#)

REPRESENTATIVE OLSON stated that in the spirit of compromise he would support the amendment to Conceptual Amendment 1.

REPRESENTATIVE SEATON maintained his objection.

[10:52:43 AM](#)

A roll call vote was taken. Representatives Olson, Kawasaki, Neuman, and Johnson voted in favor of the amendment to Conceptual Amendment 1. Representatives Tuck, P. Seaton, Edgmon, Guttenberg, and P. Wilson voted against it. Therefore, the amendment to Conceptual Amendment 1 failed to be adopted by a vote of 4-5.

[10:53:41 AM](#)

CO-CHAIR JOHNSON announced then that Conceptual Amendment 1 was now before the committee.

CO-CHAIR NEUMAN maintained his objection.

[10:53:56 AM](#)

A roll call vote was taken. Representatives Seaton, Edgmon, Guttenberg, Tuck, and P. Wilson voted in favor of Conceptual Amendment 1. Representatives Olson, Neuman, Johnson, and Kawasaki voted against it. Therefore, Conceptual Amendment 1 was adopted by a vote of 5-4.

[10:55:41 AM](#)

REPRESENTATIVE P. WILSON moved to report the proposed committee substitute (CS) for HB 246, Version 26-LS0929\S, Kurtz/Kane, 4/12/10, as amended, out of committee with individual recommendations and the accompanying fiscal notes. There being no objection, CSHB 246(RES) was reported from the House Resources Standing Committee.

ADJOURNMENT

There being no further business before the committee, the House Resources Standing Committee meeting was adjourned at 10:56 a.m.