

**ALASKA STATE LEGISLATURE  
HOUSE RESOURCES STANDING COMMITTEE**

March 25, 2015

6:10 p.m.

**MEMBERS PRESENT**

Representative David Talerico, Co-Chair  
Representative Mike Hawker, Vice Chair  
Representative Bob Herron  
Representative Craig Johnson  
Representative Kurt Olson  
Representative Paul Seaton  
Representative Andy Josephson  
Representative Geran Tarr

**MEMBERS ABSENT**

Representative Benjamin Nageak, Co-Chair

**COMMITTEE CALENDAR**

HOUSE BILL NO. 137

"An Act raising certain fees related to sport fishing, hunting, and trapping; raising the age of eligibility for a sport fishing, hunting, or trapping license exemption for state residents to 65 years of age; requiring state residents to purchase big game tags to take certain species; and providing for an effective date."

- MOVED CSHB 137(RES) OUT OF COMMITTEE

**PREVIOUS COMMITTEE ACTION**

BILL: HB 137

SHORT TITLE: HUNTING, SPORT FISH, TRAPPING FEES

SPONSOR(S): REPRESENTATIVE(S) TALERICO

03/06/15	(H)	READ THE FIRST TIME - REFERRALS
03/06/15	(H)	RES, FIN
03/20/15	(H)	RES AT 1:00 PM BARNES 124
03/20/15	(H)	Heard & Held
03/20/15	(H)	MINUTE(RES)
03/25/15	(H)	RES AT 6:00 PM BARNES 124

**WITNESS REGISTER**

TED WELLMAN, President  
Kenai River Special Management Area Advisory (KRSMA) Board  
Sterling, Alaska

**POSITION STATEMENT:** During the hearing on HB 137, testified in favor of a sockeye salmon user stamp.

JOE CONNORS, Lodge Owner  
Sterling, Alaska

**POSITION STATEMENT:** During the hearing on HB 137, testified in support of raising fees and implementing a sockeye salmon user stamp.

GORDON CARLSON  
Cantwell, Alaska

**POSITION STATEMENT:** Testified in support of raising hunting and fishing license fees and in opposition to putting a price on moose and caribou tags.

ROBERT FITHIAN  
Lower Tonsina, Alaska

**POSITION STATEMENT:** Testified in support of HB 137 in its original text and suggested some changes.

MITCH FALK  
Juneau, Alaska

**POSITION STATEMENT:** Testified in support of HB 137 and suggested some changes.

ROBERTA HIGHLAND  
Homer, Alaska

**POSITION STATEMENT:** Testified in support of HB 137 and suggested some changes.

MIKE TINKER  
Ester, Alaska

**POSITION STATEMENT:** During the hearing on HB 137, supported the concept of raising license and tag fees.

AL BARRETTE  
Fairbanks, Alaska

**POSITION STATEMENT:** During the hearing on HB 137, testified in support of fee increases for hunting licenses and pointed out some problem areas.

NICK STEEN  
Wasilla, Alaska

**POSITION STATEMENT:** Testified in opposition to HB 137.

VICK BISHOP

Fairbanks North Star Borough, Alaska

**POSITION STATEMENT:** Testified in support of HB 137, Version N.

WALTER SHERMAN

Fairbanks, Alaska

**POSITION STATEMENT:** During the hearing on HB 137, opposed raising the age to qualify for a free license.

MIKE MCCRARY

Anchorage, Alaska

**POSITION STATEMENT:** During the hearing on HB 137, supported raising fees and opposed intensive management fees.

DIANNE DUBUC

Seward, Alaska

**POSITION STATEMENT:** During the hearing on HB 137, addressed the provisions in Section 1 of Version N.

MATT ROBUS

Juneau, Alaska

**POSITION STATEMENT:** During the hearing on HB 137, supported the raising of license fees and provided background information.

DOUG LARSEN

Juneau, Alaska

**POSITION STATEMENT:** During the hearing on HB 137, supported the raising of license fees and provided background information.

BEN MULLIGAN, Legislative Liaison

Special Assistant to the Commissioner

Office of the Commissioner

Alaska Department of Fish & Game (ADF&G)

Anchorage, Alaska

**POSITION STATEMENT:** During the hearing on HB 137, answered questions related to proposed amendments.

SUNNY HAIGHT, Director

Division of Administrative Services

Alaska Department of Fish & Game (ADF&G)

Juneau, Alaska

**POSITION STATEMENT:** During the hearing on HB 137, answered questions related to proposed amendments.

#### **ACTION NARRATIVE**

6:10:50 PM

**CO-CHAIR DAVID TALERICO** called the House Resources Standing Committee meeting to order at 6:10 p.m. Representatives Hawker, Herron, Johnson, Olson, Seaton, Josephson, Tarr, and Talerico were present at the call to order.

**HB 137-HUNTING, SPORT FISH, TRAPPING FEES**

6:11:45 PM

CO-CHAIR TALERICO announced that the only order of business is HOUSE BILL NO. 137, "An Act raising certain fees related to sport fishing, hunting, and trapping; raising the age of eligibility for a sport fishing, hunting, or trapping license exemption for state residents to 65 years of age; requiring state residents to purchase big game tags to take certain species; and providing for an effective date." [Before the committee was Version N, the proposed committee substitute (CS) labeled 29-LS0625\N, Bullard, 3/16/15, adopted as the working document on 3/20/15.]

6:12:04 PM

CO-CHAIR TALERICO opened public testimony.

TED WELLMAN, President, Kenai River Special Management Area Advisory (KRSMA) Board, testified that the KRSMA Board supports the adoption of a sockeye salmon stamp for inclusion in HB 137. He pointed out that the advisory board is a statutorily created board that includes state and federal agencies as non-voting members, as well as the cities of Kenai and Soldotna and the Kenai Peninsula Borough. He said the proposal for a user stamp has been under consideration by the board for many years. The December 1997 Kenai River Comprehensive Management Plan contains such a recommendation. River boat traffic and on-bank use has grown exponentially since 1997. The primary reason for the increased use is a growing harvest of sockeye salmon, which imposes significant burden on enforcement agencies and stresses the environment and habitat throughout the entire system. Accordingly, the KRSMA Board identified the adoption of a sockeye salmon stamp this year as a priority to provide adequate resources to handle the burden imposed by this sockeye salmon fishery. Because the matter has arisen sooner than the KRSMA Board had anticipated, it has had no opportunity to look at the details of adopting a sockeye salmon stamp. However, the

proposal that has been supported before in testimony talking about making a Kenai sockeye salmon stamp be much like the king salmon stamp with the same rates and conditions appears to serve the board's objectives as long as the money generated is returned to the river and its use is not unduly restricted on the agencies so the habitat can actually be protected and hire adequate enforcement to deal with the many flagrant violations of regulations that occurs during the sockeye salmon fishery.

6:15:00 PM

MR. WELLMAN, responding to Representative Tarr, stated that the name of his organization is the Kenai River Special Management Area and it is the advisory board. He explained that when the park was created, an advisory board was created in statute and he is presently serving as the president of that board. The board's mission under the legislation is to advise state and federal agencies, municipalities, and the legislature on issues affecting the Kenai River and [the sockeye salmon issue] is an important issue that the board feels very strongly about.

REPRESENTATIVE JOSEPHSON posed a scenario in which someone from Anchorage is fishing the second run of sockeye in early July and there is a limit of three sockeye per day. He asked what that person would pay [under the KRSMA Board's proposal].

MR. WELLMAN replied the person would have to have a fishing license and would pay the resident stamp of \$20, much like the person would do if fishing for king salmon. Much of the traffic on the river comes from Anchorage, with people often making multiple trips during the season rather than one three-day trip.

6:17:02 PM

JOE CONNORS, Lodge Owner, stated he is a 40-year resident of the Kenai Peninsula and is a member of the Kenai River Special Management Area Advisory (KRSMA) Board, but is speaking for himself as a lodge owner and a guide on the Kenai River for over 35 years. Addressing HB 137 in its entirety, he said it's about time the state adjusts its fees for the various fish and game activities. He said he would like to speak especially to the inclusion of a sockeye salmon stamp and model it after the king salmon stamp; for example, one-day, three-day, seven-day, fourteen-day, and annual stamps for nonresidents, and residents would buy a stamp for the entire season just like they buy a fishing license. The incredible increase in use of the middle river where he lives has put a lot of burden on the various

state departments and federal agencies. People are everywhere and in places they never would have been five years ago. It is reasonable to expect them to pay some money so the habitat and infrastructure can be taken care of and to have enforcement. He said he seriously recommends the stamp, although the details have not yet been worked out as to how the funding would get from ADF&G to the Department of Natural Resources (DNR).

6:19:31 PM

GORDON CARLSON said he supports raising the hunting and fishing license fees, but opposes putting a price on moose and caribou tags because people rely on those animals for food. He added he might be able to understand raising or putting a price on sheep, musk oxen, or buffalo that are more of a sport hunt versus a hunt for sustenance. Fees possibly need to be raised for nonresidents coming to Alaska to hunt because that is sport hunting rather than relying on the meat as a food source.

6:20:43 PM

ROBERT FITHIAN testified he has been actively involved in Alaska's mineral, forestry, professional guide, and agriculture industries for many years. He said he is currently serving his third term on the federal Wildlife and Hunting Heritage Conservation Council where he represents the United States relative to the guide, outfitter, and tourism industries as they pertain to hunting. He also serves on numerous governor appointments to the Wrangell-St. Elias National Park Subsistence Resource Commission. He stated he fully supports HB 137 in its original text, but understands there are substitutes and amendments that he hasn't seen. In particular, he opposes increasing nonresident big game tags by 100 percent. Without question, this amount of increase will impact his family's long-time established professional guide service of striving to conduct long-term, quality wilderness, multiple-species, safari style hunts. Current nonresident hunters using his service spend \$2,000 on licensing and the proposed amendment of 100 percent would require them to spend \$4,000. This would negatively impact his ability to book hunters and compete with comparable hunts at lower rates with better quality provisions in other countries. Since his guide service is primarily provided on state lands, his clients already have to agree to hunt in the most poorly managed land base that exists in Alaska. A 100 percent increase would require them to pay for the vast majority of Alaska's wildlife conservation measures in exchange for being treated to the most disrespectful industry stewardship

imaginable. There is currently no limit on the amount of impact on wildlife conservation by the professional guide industry; no protection for these nonresident hunters to have a quality hunt or to protect Alaska's delicate social atmospheres related to subsistence and general resident hunters. Guiding on state lands has a much greater amount of law enforcement issues which visiting sportsmen and sportswomen are exposed to, and the list goes on. Alaska is long overdue for license fee increases for both residents and nonresidents. Many thousands of Alaskan are willing to pay for the privilege of hunting in this state and would be pleased to contribute to the North American Wildlife Conservation Model, the greatest model of wildlife conservation the world has ever known. To take this desire away from them and Alaska for political reasons is not fair or respectful to the whole. As the committee knows, several years ago he drafted a very comparable bill to HB 137, which had broad spectrum support from every resident hunter that it was exposed to. But when he shopped it for a sponsor within the legislature there was opposition to including resident hunters in any respect for increased fees. He encouraged the committee to help Alaska and ADF&G with this bill and to include respect and fairness within it by including resident license fees instead of providing residents with a continued free ride at someone else's expense and by establishing no more than a 50 percent increase in nonresident big game tags. Additionally, he requested that language be incorporated in the bill for the concept of a sportsmen's license that includes big game tags, fish and waterfowl stamps, and development of electronic licensing and recording for ADF&G.

[6:24:31 PM](#)

REPRESENTATIVE JOSEPHSON requested Mr. Fithian to elaborate further on his statement about "most disrespectful."

MR. FITHIAN answered that to guide on state lands all he has to do is walk into the Anchorage office of the Department of Natural Resources, pay \$500, and walk out. It takes about three minutes and he is then licensed to guide an unlimited amount of hunters on any of the state lands where he is authorized to guide within his guide license and guide use area registrations. There is nothing stopping however many hundreds or thousands of hunters to be booked by professional guides to hunt on state lands. Historically there were restrictions on geographical regions and the number of guides, but that is no longer the case and so there are impacts on state lands, the resources, and on the delicate social atmosphere with subsistence and resident

hunters; it is a free-for-all on state lands. The federal agencies gave the state a number of years to remedy that situation, which the state didn't do. The federal government has taken control of its lands with respectful concession programs that provide for protection for the visiting hunters and the stewardship of the resources. Thus, a fee increase is a slap in the face to those hunters choosing to hunt in Alaska on state lands.

REPRESENTATIVE TARR asked whether Mr. Fithian participates in any of the hunting organizations that testified in favor of the 100 percent increase in nonresident fees.

MR. FITHIAN replied he is a long-time member and leader of the Alaska Professional Hunters Association, but unfortunately there was no opportunity for membership to weigh in on this issue due to conflicting programs, such as the Board of Game. Had he had the opportunity he would have tried to encourage a lesser amount of fee increase than 100 percent for nonresident big game tags. The rest of the increases look pretty reasonable for Alaska.

[6:28:14 PM](#)

MITCH FALK said he supports the bill to raise the license fees for residents and nonresidents. It is time to take advantage of the Pittman-Robertson funds that are available, he testified, rather than leaving them on the table by not raising the fees. It is also probably time to start charging \$10 for a moose or caribou tag. The cost for a 13-inch pepperoni pizza is the same as for hunting a moose, he pointed out. It is also probably time to curtail the issuing of lifetime hunting licenses. Close to 60,000 or 70,000 of those have been issued and like the Longevity Bonus it is time to sunset those.

[6:29:46 PM](#)

ROBERTA HIGHLAND stated she is supporting an amendment but doesn't see the exact writing of what she is advocating. While she has an amendment that she prefers to HB 137, she said she does support HB 137 because license fees seem really low for what is received and she definitely supports increasing license fees. She suggested there be a wildlife conservation emblem program and proposed that Section 1 of AS 16.05.130 be amended by adding language directing that money accruing to the state from Alaska's fish and wildlife conservation emblem program shall be deposited into the fish and game fund and shall be used by the department for conservation programs, including viewing,

education, and diversity. She further suggested that Section 2, AS 16.05, be amended by adding a new section: "Section 16.05xxx, contributions to the Alaska's fish and wildlife conservation emblem program and that's also the Alaska Department of Fish & Game shall develop a fish and wildlife conservation emblem; persons may contribute any amount to the fish and wildlife conservation emblem program and may elect to receive a certificate, decal, or other recognition offered by the department for a contribution of \$20 or more; contributions and sale proceeds of items bearing the fish and wildlife conservation emblem will benefit the programs per AS 16.05.130(g)." So, she noted, it is a little bit different than what has been put in for a fish and game conservation decal. They sound somewhat similar but she is looking at it for a wildlife conservation emblem program and this is to allow the viewing people to be counted. Viewing brings in \$2.750 billion and hunting brings in \$1.326 billion, she reported, with 18,820 jobs for viewing versus 8,400 for hunting. It is a sensible idea for the state to attempt to get some funding from this large number of viewers, a lot of conservation people would like to pay into something like this so they can be supporting conservation along with the hunting and fishing.

CO-CHAIR TALERICO requested Ms. Highland to submit her suggested amendment by email.

[6:33:26 PM](#)

MIKE TINKER said he has resided in Ester for 50 years and supports the concept of raising license and tag fees. He noted that AS 16.05.130(d) requires the expenditure of license and tag fees for department programs intended to directly benefit the purchasers of general hunting, trapping, and fishing licenses. He said he realizes the point of the legislation is to replace some of the general funds now used by [the divisions of] sport fish and wildlife conservation. He asked how it is possible to charge more fees without defining a benefit for those paying the fees. General funds are not required to be used for programs directly benefitting the license purchasers. He urged the committee to look at the increases from the perspective of the hunters, trappers, and fishers who asking what they will get for the additional cost. He urged the committee to request that the department answer this question in detail. In that answer will be found either support for the increases or a groundswell of opposition against HB 137. When he undertook an estimate of the revenue from increased fees, he discovered that the department tracks 49 different types of licenses. He said his estimate

shows it's impossible to replace all the general funds, which leaves the question of whether a formula is being discussed for how much of the new revenue to leave in the fund and how much general funds can be replaced. He understood the intent is not to further cut the department's programs, but hunters, trappers, and fishers are trying to get some feeling of cost/benefit for the increases that they will pay and thus far there is no information to that purpose. Even the "self-proclaimed hunting leadership" who testified [on March 20, 2015,] were very careful not to say anything about the use of new money, which he suspects was in the hope that the legislature would put it all in the fish and game fund. At best, he stated, that leadership represents less than 10 percent of the license holders and the other 90 percent has yet to be heard from. He urged that members have caution when listening to people testifying on the bill. Some "what-ifs" need to be considered. For example, there are less than 1,100 actual trapping licenses and another 9,300 are part of multiple license packages. The low income portion for trapping doesn't change under the present bill. If the trapping license portion increases, residents can save that additional money by not buying the multiple licenses. Thus, if the money from trapping licenses goes on to support furbearer programs, money could be lost under the proposed increases. Also, all trapping is subsistence as defined by the Board of Game and this should be taken into consideration for licensing. Short-term nonresident fishing licenses and tags are also at risk from a supporting public that may shift where its money is spent due to new cost. Most of Alaska's waters have very low harvest limits for king salmon. For example, how much is one king salmon worth as the season bag limit is one? He thanked Co-Chair Talerico for taking up the issues in HB 137 and urged a look at the language in the section of the statute as well as the numbers since there are some simple changes that would clarify what the hunters and fishers are doing. The increases further divide Alaskans who are hunting and fishing for subsistence, he said, and those trying to put fish and game in their freezers under other licenses.

[6:37:26 PM](#)

REPRESENTATIVE TARR understood ADF&G's perspective is that if there are not funds available to hire staff to do inventories, then there is not the information necessary for the Board of Game to make allocation decisions, which could result in a cut or elimination of the hunting opportunity. She said that from her perspective, a benefit of the bill is to ensure the resources necessary for being able to make allocation decisions.

MR. TINKER replied the department will always make a population estimate, especially for highly used animals like moose and caribou. That estimate will be shared with local advisory committees and there will be weigh-in on what the season bag limits ought to be. The question is whether there is enough money to make high probability accurate estimates. If there is less money the department will let people know that they are low probability estimates. So, yes, that is an opportunity for spending the extra money and that is why he supports not trying to replace all of the department's general funds, but mainly replacing some small portion of it and allowing the department to continue to grow. In the past, he opined, the Division of Wildlife Conservation has not done a good job of sharing the information on exactly what programs it is spending money on.

6:40:06 PM

AL BARRETTE offered his support for license fee increases. He maintained that 20,000 Alaskans are not paying for the resource or the management being discussed. The 17,000 subsistence fishermen in the state are not required to get a license at all, despite being the second biggest taker and user of the state's fish resources. About 2,000 National Guard and Reserve persons get a free hunting license and there are probably 2,000 hunters who don't buy a hunting license at all. He said he has a problem with the low income figure of \$29,000 and asked whether that is a before or after-tax number. The statute states gross income tax, which could be net gross or adjusted gross, so this needs to be clarified. He further inquired whether the figure of \$29,000 increases or decreases the potential for people getting a \$5 license. He charged that since enactment of the king salmon stamp, the king salmon opportunity has decreased to none over the last five years in the Interior. He said there is quite a discrepancy in the Alaska Professional Hunters Association (APHA) community. Last week the lobbyist for APHA said that clients were excited about paying more, yet a well-known member today said that is not the way he sees it. He recalled hearing last week that these numbers were randomly chosen and how much will the public bear before revolting and not paying or not buying a license. There should be justification and reasons for why and how much license fees are being raised, which should be made clear in the record. He said he thinks there will be a problem with raising the age to 18 with the drawing hunts. Currently, there is a different age than the 18 that is being proposed for no license; a person must have a license to apply for a drawing hunt or must hunt under a

parent, guardian, or sponsor. Responding to Representative Tarr, Mr. Barrette agreed to provide the committee with a copy of his suggestions.

[6:43:52 PM](#)

NICK STEEN testified he is a 50-year resident of Alaska and opposes HB 137. He said the present downturn in the price of oil has positioned the state's economy similar to what it was in the 1980s when there were massive foreclosures on homes, high unemployment rates, and bank closures. This is basically a tax, and adding a tax of 15-20 percent such as this is a very onerous situation in this economy. For a family of four this proposed bill would result in an astounding cost of \$280 to go hunting for moose, with a 10 percent opportunity of harvesting an animal. He understood the state needs to maintain the Pittman-Robertson and Dingell-Johnson funds, but said increasing taxes on residents at this time is not the way to do it. He urged the committee to reconsider this portion of the bill, but said the committee can do what it wants with the nonresident portion. He further stated that requiring renewal of the free senior citizen license every three years is ridiculous because it will cost the state each time.

[6:46:14 PM](#)

VICK BISHOP spoke in favor of HB 137, Version N, and the raising of the fishing, hunting, and trapping license fees. He said every additional dollar raised can likely be matched by \$3 from federal aid to fish and wildlife restoration funds that are annually distributed to the states. Even with the modest increases proposed by the bill, both residents and nonresidents get a good deal because Alaska has such great opportunities for fishing, hunting, and trapping. He and his family have enjoyed and benefitted from these opportunities since 1961, with fish and game comprising almost all of his family's meat for over five decades. Hunting, fishing, trapping, and gathering gives his family great food and great satisfaction. Alaska's fish and game management programs are sound. Let the costs to sustain them keep increasing along with almost everything else. Fishers, hunters, and trappers have been willing to pay for fish and wildlife management going back decades to the federal duck stamp, the Pittman-Robertson Act, and the Dingell-Johnson Act, not to mention territorial and state license fees. The results have been outstanding and benefit not only the fish and wildlife but also the fishers, hunters, trappers, and society at large. The increased license and tag fees are appropriate, especially

now when state general funds are in short supply. He suggested the legislature consider whether the fee structures in HB 137, Version N, will adequately offset the potential loss of general fund dollars to the sport fish and wildlife conservation divisions. He further urged consideration of the state's ability to match the Pittman-Robertson and Dingell-Johnson federal funds that are derived from hunters and fishers nationally. He offered his appreciation for HB 137.

[6:49:35 PM](#)

WALTER SHERMAN stated he turns 60 years old this summer and is supposed to get this license, but now 62 is the proposed age for this. He requested there be an exception for the people who are old and have been in the state for a while. He added that he is a Doyon shareholder.

REPRESENTATIVE TARR pointed out to Mr. Sherman that, as currently written, the bill's effective date is January 1, 2016, so Mr. Sherman would get his lifetime license and be grandfathered in.

MR. SHERMAN replied "great."

[6:53:07 PM](#)

MIKE MCCRARY testified he supports raising fees and particularly supports incorporating the non-consumptive users into this fee structure. He said raising the nonresident fees 100 percent still undervalues the tags and licenses for nonresidents. He said he opposes incorporating any kind of intensive management tax fee structure into the bill because the Board of Game continues to allow nonresidents to participate in hunts even when the board knows that prey species populations are declining - even after hunts go to intensive management the Board of Game allows nonresidents to continue hunting prey species in those areas. Along with the irrational behavior of the Board of Game in allowing nonresidents to participate when the resources are declining and Alaskans are having a harder opportunity, is the must-be-guided law. This encourages nonresidents to come to Alaska and "bought-hunt" a moose or caribou, he maintained, and discourages nonresidents from coming to Alaska to hunt bears due to the extra burden of having to hire a guide. That law should be changed so that nonresidents are authorized in intensive management areas to hunt bears without a guide. He clarified he is not advocating a war on bears by nonresidents, but thinks the Board of Game is mismanaging the resource and that is a big

reason why the state is going into intensive management. Responding to Representative Josephson, Mr. McCrary confirmed he wrote an e-mail to legislators and submitted written testimony.

6:56:39 PM

DIANNE DUBUC stated she is the vice chair of the fish and game advisory committee in Seward and represents Seward at the Board of Fisheries level, but is speaking today on behalf of herself. She drew attention to HB 137, Version N, page 1, Section 1, lines 6-8, and starting on line 12 in regard to the Board of Fisheries establishing open and closed seasons and areas for the taking of fish. She said that "open and closed seasons" is very broad as written and that she believes this is being done now by emergency order through the department. She brought attention to page 2, lines 5-6, which states "setting quotas, bag limits, harvest levels, and sex and size limitations on the taking of fish". She said she sees a problem with this with in-season management. Basically, Section 1(a) on page 1 through paragraph (17) on page 3, puts a lot of onus on the Board of Fisheries and she does not want to see ADF&G shut out of the process. There are biological imperatives in fish management, she said, and politics should be left aside.

6:58:55 PM

MATT ROBUS qualified that while he is a board member of the Territorial Sportsmen, his testimony today is his personal testimony. He further noted that before retiring from ADF&G he was director of the Division of Wildlife Conservation from 2003-2007, as was Doug Larsen who will be testifying after him. He said that having held this position, he and Mr. Larsen have a better than average feel for the puzzle for funding the wildlife division and, to a certain extent, the Division of Sport Fish. At the time that he became director, a big problem was the virtual lack of general funding, which meant that there wasn't very much flexibility. The fish and game fund license fee money was largely used to match and pull in the \$3 for every state dollar of Pittman-Robertson federal aid monies. The division had a very hard time finding funding to do other special projects that were not covered by federal funds. He advised that Alaska will be seeing more and more endangered species petitions over time and for this type of thing the department needs to gather a lot of information and do a lot of good science to sustain the state's position and ensure the decisions are made. However, that cannot be done with the federal aid monies and neither can certain education activities and

intensive management. At first after a couple of years the legislature responded to that issue with some general fund "CIPs" and then eventually general funds in the regular division budget. Ironically, the problem today is that in each of those divisions the general fund portion of the budget has climbed to 13 percent. So, with the general fund being so obviously vulnerable right now, it means that a substantial wedge out of the pie that makes up those divisions' budget could go away in large proportion pretty quickly.

7:01:52 PM

MR. ROBUS stated that reduction in the general fund will reduce the ability of the Division of Wildlife Conservation to do field research and inventories that allow the department to advise the Board of Game on determining where intensive management programs are needed, where they are feasible, and if they're defensible. This work is in addition to the standard survey and inventory work that the department funds with federal aid monies and fish and game fund monies. An incredible amount of science is necessary to do those intensive management programs properly and the courts so far have upheld the division in its efforts when it has been challenged because of that science. If the science isn't there it isn't near as defensible. A question that has come up is what the benefit is of gathering more fish and game fund dollars and whether it is to expand intensive management programs. The answer is no. The best that the department can do is try to avoid losing progress that's been made through intensive management programs to provide more wildlife to Alaskans who need moose and caribou. He said another effect that reduction in general funds is going to have on both divisions is the ability to reach out and get those three federal dollars for every state dollar that is put up for Pittman-Robertson on the wildlife side and Dingell-Johnson on the sport fish side. While many people are cautious about grabbing federal money, that federal money combined with the state's license dollars is an incredibly important foundation for all of the survey and inventory research work that's done. It is very flexible money, there are only a few things it cannot be used for and the divisions would be hamstrung without that money.

7:03:57 PM

MR. ROBUS continued, pointing out that, on the wildlife side, available Pittman-Robertson grant monies are climbing radically. Without an adequate boost to the wildlife funding, he advised,

the Division of Wildlife Conservation may be leaving Pittman-Robertson dollars on the table. After a couple of years accounting can be done to preserve those dollars for as long as possible or they could revert to the federal government, which seems silly when the state is hurting for funds. This is one reason why he supports raising fees for the fish and game fund, he said. Regarding the sport fish side, he advised that Dingell-Johnson monies are either stagnant or declining slightly, so there is more need to backfill that with fish and game fund dollars if they can be acquired. He further pointed out that there are wildlife education opportunities that need to be funded for which federal funds cannot always be used. All in all, there is the need to offset the diminishing of general funds to as a great a degree as possible with asking users to pay more. Research shows that the \$25 hunting license in 1993, the last time there was an increase, would cost \$41 today just because of inflation. So, while HB 137 is appreciated, the prices in the bill are somewhat under the cost of inflation. It is something that will have to be sorted out in the halls of the legislature, but there is a great need for funding those divisions because with general funds about to be taken away, inflation alone has put the divisions in quite a sensitive spot.

[7:06:16 PM](#)

REPRESENTATIVE TARR inquired whether this type of fee increase has been tried before and asked how there can be better communication with the public to explain how it will work.

MR. ROBUS replied that when he was director, and before that when he was deputy director, and before that when he was an area biologist, he always sincerely thought that he was getting information out. He understood, though, that at the other end there is some frustration that not everything is coming out. Almost all the time, biologists, Board of Game members, and [department] directors have to make decisions based on incomplete information. When with the department he didn't think information was being withheld, he said, but allowed that the department may not have been as forthcoming as people would have liked. At Board of Game meetings he had lots of discussions in the hallways with people around the state, but said this is something that is always a continuing challenge.

[7:07:58 PM](#)

DOUG LARSEN qualified that while he is a board member of the Territorial Sportsmen, his testimony today is his personal view.

He offered his agreement with the testimony presented last week by the coalition that includes Mr. Sommerville, Mr. Grasser, Mr. Stacey, and Mr. Arno. He stated that the fees incorporated into Version N are lower than what he would like to see just because of the inflation if nothing else. Regarding intensive management he said there are questions and misunderstandings about how funding can be used, and is used, by ADF&G for intensive management. There are many examples of where intensive management funds are used to do predator control, which is a part of intensive management but not the whole of intensive management, but those funds are also used to do habitat work and to assess the habitat condition to see whether predator control or removal of some predator species is appropriate or wanted. He said he can provide examples of many times where intensive management was proposed for areas but in the end was not implemented because the department was able to take funding that was available, get the information that was necessary, and show that going in and removing more predators was not the answer in those particular situations. An example of that is in southern Southeast Alaska around Ketchikan where there has been talk in the last couple years about getting the deer population increased because it doesn't meet the intensive management population or harvest objectives. Staff did habitat assessment and population assessment and concluded that with the habitat that is available there, doing an intensive management program to remove wolves did not make sense biologically. So, having something like an intensive management surcharge is not saying to the department that it can implement intensive management helter skelter or even expand beyond what it is doing now. Rather, it would allow for the information to be gathered that would help to determine whether further actions would be warranted or necessary. In the past the legislature has been very generous in providing "CIP" funds, but today with the revenue situation being what it is, the department anticipates that that is not going to continue, at least not to the extent that it has. [The surcharge] would be a way to supplant those funds that wouldn't be available otherwise. The downside to not having funds to those things is that the department would have to be more conservative or could not even do what the 1994 intensive management law requires, which is to get that information and see what actions be done.

[7:11:16 PM](#)

MR. LARSEN continued, noting that there are examples of where endangered species petitions have impacted Alaska and Alaskans. A petition he is currently familiar with is the petition to list

the Southeast Alaska Alexander Archipelago wolf as endangered. From his experience as the regional supervisor for Southeast Alaska before retiring, he advised that the information necessary to withstand lawsuits and to be able to defend the outcome of that situation necessitates an incredible amount of funds to put people and resources on the ground to get the information that will be used by the U.S. Fish & Wildlife Service (USFWS) to make that determination. Listings have huge implications for hunting and trapping as well as for mineral and timber development. So, the funding that is used by the department to get that information has broad economic implications beyond the hunting and fishing community.

MR. LARSEN noted he served on the wildlife team for the transition program and in that group were people he interacted with while director with whom he did not see eye-to-eye, and yet everyone came together in the spirit of trying to find common ground and a lot of common ground was found. One thing found for common ground was the need to increase and diversify revenue. The license fee increase was one of the things the transition team supported strongly, along with diversity, which is where this idea of a conservation pass or stamp or something of that nature came into being. Many people would like to contribute to wildlife conservation in the state of Alaska, but don't feel they have a venue because they are not hunters and are not necessarily anti-hunting or anti-fishing but they just don't participate themselves and yet they want to contribute. The transition team sees that as a potential opportunity to capture more funding that could then be used for conservation. That is very much in keeping with what was proposed years ago through the federal Conservation and Reinvestment Act which did not pass but transitioned into the state wildlife grants program. Those funds would help with programs like education and others for which the department is strapped. He offered his appreciation for the sponsor bringing forth HB 137.

[7:14:24 PM](#)

REPRESENTATIVE JOHNSON requested Mr. Larsen to explain where the three-to-one match comes from.

MR. LARSEN replied that in 1939 American sportsmen and sportswomen said a way was needed to fund wildlife conservation and management in the U.S. A law was passed that is now known as the Pittman-Robertson Act, after the two individuals responsible for the bill. On the fisheries side there was a similar act called the Dingell-Johnson Act. An excise tax was

put on the sale of firearms, ammunition, motor boat gas, and so forth. Those dollars go into a federal pot that is then divvied out to all the states on a formula. The maximum that any state can get is 5 percent and it is based on numbers of people and landmass. Alaska doesn't have that many people but it has a lot of land so it gets 5 percent of that pot. With the recent increase in the sale of firearms and ammunition there is a lot more money in that Pittman-Robertson account. That is the \$3 that comes into the state, but to get those \$3 there must be \$1 on the state side and that's where the fish and game fund is so important. That fund is where license fees and tag fees go into a pot and the \$1 that comes out of the state pot is used to match those \$3 from the federal pot. Not having sufficient dollars in that fish and game fund is what Mr. Robus was referring to - if Alaska can't match all the federal dollars then there'd be federal dollars that would perhaps go away and not be used by the state.

REPRESENTATIVE JOHNSON said he wants it to be clear that this is a tax on sportsmen, a self-imposed tax, to preserve their lifestyle and the habitat. It is not taking money out of the treasury, it is taking money out of a voluntary system that allows Alaska to tap that money.

[7:17:55 PM](#)

CO-CHAIR TALERICO closed public testimony after ascertaining no one else wished to testify. He then opened committee discussion on Version N, the proposed CS before the committee.

[7:18:18 PM](#)

REPRESENTATIVE SEATON moved to adopt Amendment 1, labeled 29-LS0625\N.1, Bullard, 3/20/15, which read:

Page 1, line 4, following "**trapping;**":

Insert "**replacing the permanent sport fishing, hunting, or trapping identification card for certain state residents with an identification card valid for three years;**"

Page 2, line 1:

Delete "**62**"

Insert "**65**"

Page 5, line 27:

Delete "**62**"

Insert "65"

Page 7, line 8:

Delete "62"

Insert "65"

Page 7, line 27, through page 8, line 6:

Delete all material and insert:

**\* Sec. 19.** AS 16.05.400 is amended to read:

**Sec. 16.05.400. Persons exempt from annual licensing requirements [LICENSE REQUIREMENT].** (a) A license is not required of a resident under 18 years of age or a nonresident [PERSON] under [THE AGE OF] 16 years of age for sport fishing nor is a license required of a resident under 18 years of age [THE AGE OF 16] for hunting or trapping.

(b) Upon request, and without charge, the commissioner shall issue a sport fishing, hunting, and trapping identification card to [A SPORT FISHING, HUNTING, OR TRAPPING LICENSE IS NOT REQUIRED OF] a resident who is 65 [60] years of age or older. An identification card issued under this subsection is valid for three years [MORE]. The commissioner shall issue an [A PERMANENT] identification card without charge to a person [PERSONS] who qualifies [QUALIFY] by age and residence and who completes [COMPLETE] the forms required by the commissioner for implementation of this subsection. A person who is eligible for an [ISSUED A PERMANENT] identification card under this subsection may not sport fish, hunt, or trap without having a valid identification card issued under this subsection or the appropriate license [SHALL HAVE IT] in possession [WHILE SPORT FISHING, HUNTING, OR TRAPPING].

**\* Sec. 20.** AS 16.05.403(c) is amended to read:

(c) A resident who is 65 years of age or older may obtain from the department upon payment of the fee prescribed in AS 16.05.330 - 16.05.430 and upon submission of satisfactory proof of age a resident hunting license, a resident sport fishing license, a resident subsistence fishing permit, or a resident personal use fishing permit indicating that the purchaser is a person who is 65 years of age or older. This subsection does not limit the right of a resident person who is 65 years of age or older to obtain an identification card [CLAIM AN EXEMPTION FROM HUNTING

OR SPORT FISHING LICENSE REQUIREMENTS] under AS 16.05.400(b).

\* **Sec. 21.** AS 16.05.405(b) is amended to read:

(b) Notwithstanding AS 16.05.420(c), a resident holding a valid resident hunting license may take game on behalf of a person who is blind, a person with physical disabilities, or a person who is 65 years of age or older if the resident possesses on the resident's person

(1) a document signed by the person on whose behalf the game is taken, stating that the resident possesses the person's hunting license or [PERMANENT] identification card issued under AS 16.05.400(b) in order to take game on behalf of that person; and

(2) the person's

(A) resident hunting license issued under AS 16.05.403 or [PERMANENT] identification card issued under AS 16.05.400(b); and

(B) harvest ticket, tag, stamp, or other document required by law as a condition of taking the game being hunted.

\* **Sec. 22.** AS 16.05.405(c) is amended to read:

(c) Notwithstanding AS 16.05.420(c), a resident holding a valid noncommercial fishing license may take fish on behalf of a person who is blind, a person with physical disabilities, or a person who is 65 years of age or older if the resident possesses on the resident's person

(1) a document signed by the person on whose behalf the fish is taken, stating that the resident possesses the person's sport fishing license, subsistence fishing permit, personal use fishing permit, or [PERMANENT] identification card issued under AS 16.05.400(b) in order to take fish on behalf of that person;

(2) the person's

(A) resident sport fishing license issued under AS 16.05.403 or [PERMANENT] identification card issued under AS 16.05.400(b);

(B) resident subsistence fishing permit issued under AS 16.05.403; or

(C) resident personal use fishing permit issued under AS 16.05.403; and

(3) all other documents issued to the person that are required by law as a condition of taking the fish being pursued.

\* **Sec. 23.** AS 16.05.405(e) is amended to read:

(e) A resident who takes, or attempts to take, fish or game on behalf of a person under this section may also simultaneously engage in fishing or hunting for the resident's use; however, the resident may not take or attempt to take fish or game by proxy for more than one person at a time. For the purposes of this subsection, a resident is engaged in taking, or attempting to take, fish or game by proxy while the resident has possession of

(1) another person's

(A) license, permit, or identification card **issued under AS 16.05.400(b)** and all other documents issued to the person that are required by law as a condition of taking the fish or game being pursued; and

(B) signed document under (b)(1) or (c)(1) of this section; or

(2) fish or game taken on behalf of another person.

\* **Sec. 24.** AS 16.05.415(i) is amended to read:

(i) In this section, "license" means a license, tag, permit, stamp, identification card **issued under AS 16.05.400(b)**, or other indicia of permission to engage in an activity subject to AS 16.05.330 - 16.05.430."

Renumber the following bill sections accordingly.

Page 8, line 9:

Delete "APPLICABILITY."

Insert "APPLICABILITY AND TRANSITION. (a)"

Page 8, line 11:

Delete "sec. 20"

Insert "sec. 19"

Page 8, line 13:

Delete "continue to"

Page 8, lines 13 - 15:

Delete "the exemption under AS 16.05.400(b), as that subsection read before the effective date of this Act"

Insert "an identification card under AS 16.05.400(b), as that subsection is amended by this Act, notwithstanding the requirement under that

subsection that a resident must be 65 years of age or older to obtain an identification card"

Page 8, following line 15:

Insert new subsections to read:

"(b) A permanent identification card issued under AS 16.05.400(b), as that subsection read before the effective date of this Act, shall continue to be recognized as valid for the purposes issued until January 1, 2019. On or after January 1, 2019, a permanent identification card issued under AS 16.05.400(b), as that subsection read before the effective date of this Act, is void.

(c) The Department of Fish and Game shall attempt to notify current holders of permanent identification cards issued under AS 16.05.400(b), as that subsection read before the effective date of this Act, that

(1) they are eligible for identification cards under AS 16.05.400(b), as that subsection is amended by this Act; and

(2) permanent identification cards issued under AS 16.05.400(b) before the effective date of this Act are void on January 1, 2019."

REPRESENTATIVE JOHNSON objected.

REPRESENTATIVE HERRON objected.

[7:18:50 PM](#)

REPRESENTATIVE SEATON explained Amendment 1 looks at replacing the current permanent sport fishing, hunting, and trapping identification card for certain residents with an identification card that is valid for three years. Several years ago he found that there were 83,000 permanent cards, but ADF&G couldn't tell him how many of those were current residents or how many were permanent fund dividend recipients. Many people leave Alaska and then return to the state carrying this card that says they can hunt, fish, and trap for free, he said. There is no requirement that they even carry the card. Therefore, a renewal period is needed in which the people re-certify that they are still residents of the state. Since residency is not identified in this section the question is whether that means a person can have a 30-day voter residency or live out of state and only come back to Alaska in the summer. In that regard there is no qualification at all on the permanent card. Amendment 1 would

ensure that there is a free renewal for people as they get older but that they are residents of the state and that they be required to carry the card with them when hunting or fishing. Amendment 1 would also raise the age for this identification card from 62 to 65. He pointed out that people can elect to begin Social Security at age 62, but the normal age for Social Security is 65. Additionally, under current statute the age at which proxy hunting and fishing are allowed is 65. Therefore, raising the age to 65 would make it consistent. Further, Amendment 1 would provide that currently issued permanent identification cards would be valid through January 1, 2019, at which time the person will need to get a three-year renewal card.

[7:22:06 PM](#)

REPRESENTATIVE JOHNSON inquired what it would cost to issue these cards every three years instead of just once.

BEN MULLIGAN, Legislative Liaison, Special Assistant to the Commissioner, Office of the Commissioner, Alaska Department of Fish & Game (ADF&G), confirmed that about 83,000 permanent identifications have been issued, with 6,000 to 8,000 new ones every year. Not knowing how many of those people would want to re-apply, he said, it is hard to give a ballpark number at this time, but it will have to be done underneath a new fiscal note.

REPRESENTATIVE JOHNSON understood this would qualify for Pittman-Robertson.

MR. MULLIGAN replied that these are free, so Pittman-Robertson would apply if a person didn't qualify and had to purchase a license.

REPRESENTATIVE JOHNSON surmised the expense [of issuing the free cards] would be money out of the 3:1 match that the state could get. So, he posited, if the fiscal note for issuing these cards is \$1,000, then the state would be potentially losing \$3,000 from Pittman-Robertson and Dingell-Johnson funds because the state wouldn't have that potential match.

SUNNY HAIGHT, Director, Division of Administrative Services, Alaska Department of Fish & Game (ADF&G), responded she is unsure if that is accurate and offered to run an analysis. She noted she is only just now seeing this amendment and therefore she has not had a chance to go through the numbers.

[7:24:58 PM](#)

REPRESENTATIVE JOSEPHSON surmised Amendment 1 would have some administrative costs, but that some of the cost might be offset by those [former Alaska residents] who will now have to purchase a license that otherwise would have been free to them.

MR. MULLIGAN agreed there could be costs associated with the amendment, but pointed out that those folks [who no longer qualify as residents] but who still want to come back would have to pay the higher nonresident fees, which might create a wash. He said he will run some numbers and talk to ADF&G's licensing folks.

[7:25:58 PM](#)

REPRESENTATIVE SEATON stated the question here is what it will cost to do these permanent identification cards. He pointed out that a permanent identification card will not incur a vendor fee because applicants must go to an ADF&G office rather than a store and it is simply a piece of paperwork certifying that the applicant is a resident.

[7:27:11 PM](#)

REPRESENTATIVE HERRON understood that a person who has an "over 60 card" must be a resident to be able to use the card.

MS. HAIGHT replied correct.

REPRESENTATIVE HERRON surmised that someone coming back to the state who cannot prove he/she is a resident cannot use the card.

MS. HAIGHT responded correct.

[7:27:42 PM](#)

REPRESENTATIVE TARR posed a scenario in which a former resident returns to the state because he/she has the card and picks a species that doesn't require a guided service. In this case, she pointed out, the potential exists that the person will have no interaction at all with the department and there will be no checking or verification of that person's residency.

MR. MULLIGAN answered correct, once a permanent identification is issued a person has it and can come back. So unless stopped, checked, and flagged by a trooper there is no way to know. A

law abiding citizen who is no longer a resident would purchase a license, but there is no way to know how often that happens.

REPRESENTATIVE TARR drew attention to Amendment 1, page 5, lines 2-4, regarding currently issued permanent identification cards being valid until January 1, 2019. She inquired whether there is a problem with the giving of a benefit by the department and then having it taken away or modified.

MR. MULLIGAN replied he cannot give a definitive answer at this time without talking to the department's legal counsel.

7:30:01 PM

REPRESENTATIVE SEATON pointed out that the bill was drafted by the legislature's legal counsel. Because this card is free it is different than if someone has purchased something of value. He further noted that the other question being talked about is residence. Enforcement officials don't enforce these because there is nothing that says a person coming up in a motorhome with a Washington or Idaho license plate doesn't mean the person isn't a resident under the terms of maintaining his/her voting rights in Alaska. A person doesn't even have to be a voter. There is nothing in the current statute that says how a person maintains residency. For example, there is nothing that says a person must be a permanent fund resident. While it takes a year to become a resident, there is nothing that says how a person loses residency for fish and game. Troopers have a really hard time because there is no clear statutory guideline on what kind of residency must be maintained and whether a person coming up in a motorhome every summer constitutes residency.

7:32:25 PM

REPRESENTATIVE JOSEPHSON said Title 1 states as little as 30-day windows for residency with an intent to remain, so there are different ways to define residency as noted by Representative Seaton. In regard to the prospective versus retrospective provision mentioned by Representative Tarr, he said he thinks what Representative Seaton said is accurate - that under police powers the making of changes is allowed and if there was no investment it would be hard for a person to claim a suffering or a deprivation of due process. He added that it sounds like this is also the view of Legislative Legal and Research Services.

7:33:14 PM

REPRESENTATIVE HERRON maintained his objection to Amendment 1.

REPRESENTATIVE JOHNSON posed a scenario in which a former resident comes up and uses his/her card and receives a citation. He inquired whether under the Interstate Wildlife Violator Compact that person would lose his/her license in his/her home state and the right to fish in any of those other 38 states [belonging to the compact].

MR. MULLIGAN responded he will have to check with the Alaska Wildlife Troopers.

REPRESENTATIVE JOHNSON said he thinks the person would lose his/her license and it would be the same punishment in that person's home state as here in Alaska. He opined that this is being done for honest people and someone who is going to cheat is going to cheat. He said he therefore maintains his objection to Amendment 1.

REPRESENTATIVE SEATON responded that losing a license is one thing, but this isn't a license, it is just free access. Thus, there may be some distinctions between what a person would lose in Alaska - the ability to participate versus a purchased license. He allowed he isn't sure, saying this is a unique thing that Alaska has.

REPRESENTATIVE JOHNSON offered his belief that if cited in Alaska a person would have an equivalent punishment in his/her home state. For example, a person unable to fish in Alaska would be unable to fish in another state. It is a fairly serious crime to violate in Alaska, he pointed out.

[7:35:22 PM](#)

REPRESENTATIVE JOHNSON again maintained his objection, stating there are a lot of unanswered questions, one being the money question. He said he doesn't want to hold the bill up as he supports the concept, but he is also concerned about upsetting the balance and having groups that support the bill subsequently pull out. He suggested there be no amendments and let the bill go to the House Finance Committee where these things can be hashed out and ADF&G come in to answer questions.

REPRESENTATIVE HERRON spoke to his objection, saying he is concerned with raising the age and so will be voting no on the amendment.

7:36:43 PM

REPRESENTATIVE JOSEPHSON asked whether holders of a permanent identification card would receive something at their last best address indicating that the privilege has become a three-year privilege.

MS. HAIGHT answered yes, the department's licensing staff has given thought to this and is prepared to reach out to every permanent license holder with adequate notification.

REPRESENTATIVE OLSON suggested checking against permanent fund dividend applications and making it that a person ineligible for a dividend is ineligible for a permanent license and giving that person notice of such.

MS. HAIGHT replied she cannot address that, but she can confirm that ADF&G's licensing staff, for purposes of checks and balances, does check against the permanent fund to verify residency when any new application is filled out. It is a valuable tool that the department does use, she said.

REPRESENTATIVE TARR asked whether the department would have to reach out to all 83,000 permanent card holders or whether there is some other way to reduce the scope of that communication.

MS. HAIGHT responded she would have to work with the licensing staff, but said the licensing staff regularly scrubs that list to weed out deceased folks.

7:39:05 PM

REPRESENTATIVE JOSEPHSON requested that Representative Seaton repeat his reasoning for proposing Amendment 1.

REPRESENTATIVE SEATON stated the permanent identification card has the problem of unlimited time. There are participants who have definitely left the state. Alaska Wildlife Troopers has said these cards are unenforceable because they have no standard of residency. At the time that he checked on these cards there had not been any violations because no citations had been issued, but that was a while ago and he doesn't know whether there have been any violations or citations since then. He said age 65 works well with all the fish and game statutes and therefore it would clean up the statute and fish and game

procedures, would make laws enforceable, and would ensure the cardholder is a resident of the state.

The committee took an at-ease from 7:41 p.m. to 7:44 p.m.

[7:44:19 PM](#)

REPRESENTATIVE SEATON withdrew Amendment 1 and requested that a fiscal note be drafted for the amendment.

CO-CHAIR TALERICO asked ADF&G to provide cost estimates in this regard.

MS. HAIGHT agreed.

[7:45:00 PM](#)

REPRESENTATIVE SEATON moved to adopt Amendment 2, labeled 29-LS0625\N.3, Bullard, 3/19/15, which read:

Page 1, line 1, following "**trapping;**":

Insert "**relating to fish and game conservation decals;**"

Page 7, following line 26:

Insert a new bill section to read:

"\* **Sec. 19.** AS 16.05 is amended by adding a new section to read:

**Sec. 16.05.352. Fish and game conservation decal.**

The department shall annually produce and make available to the public fish and game conservation decals. The department shall, by appropriate means, provide for the selection of designs for fish and game conservation decals and for the production and sale of the decals. The department may produce and sell different decals in quantities that the commissioner considers appropriate. Upon payment of a \$20 fee, a person may purchase a fish and game conservation decal from the department."

Renumber the following bill sections accordingly.

Page 8, line 11:

Delete "sec. 20"

Insert "sec. 21"

REPRESENTATIVE JOHNSON objected to Amendment 2 for discussion.

7:45:18 PM

REPRESENTATIVE SEATON explained that many tourists, viewers, photographers, and other non-consumptive users come to Alaska and this would allow them to participate in maintaining fish and wildlife conservation. Amendment 2 would allow the public to participate in that by buying a fish and game conservation decal for \$20. It would be maintained like a license. If desired, the department could limit this to online sales so it would be reasonable and cheap to issue and a public record would be established so it is known how many people want to support fish and wildlife conservation but who aren't actually hunters, fishers, or trappers.

7:46:39 PM

REPRESENTATIVE HERRON inquired whether the decal would be strictly voluntary.

REPRESENTATIVE SEATON confirmed it would be strictly voluntary.

REPRESENTATIVE JOSEPHSON surmised this is a contribution that would not be tax deductible.

REPRESENTATIVE SEATON replied yes, it could be like organizations that give a mug or decal for donations. The department, by appropriate means, would be able to solicit art for decals and the decals could be donated. A person could buy one or more decals. It is a fundraising opportunity for ADF&G from residents and nonresidents who want to support fish and wildlife conservation in Alaska, whether they are consumptive or non-consumptive users.

REPRESENTATIVE JOHNSON requested Representative Seaton to explain what each section of Amendment 2 would do.

REPRESENTATIVE SEATON replied that a new section, Section 19, would be inserted and the others consequently renumbered.

7:49:07 PM

REPRESENTATIVE JOSEPHSON noted that an additional amendment might be moved later in tonight's meeting. He posed a scenario in which that amendment doesn't pass but Amendment 2 does and is included in the bill signed by the governor, and asked whether

the [decal funds] could be used for intensive management and the purchaser wouldn't know that.

REPRESENTATIVE SEATON responded the committee would need to talk to ADF&G, but he thinks ADF&G is aware that [decal purchasers] are probably non-consumptive users and ADF&G would therefore use the money in that way. He noted he will not be offering the amendment labeled [29-LS0625\N.5, Bullard, 3/25/15]. He said dedicated funding would be very complicated to do, so it is back to the original idea of trying to allow ADF&G to generate additional money from those people who want to voluntarily buy [a decal] and support fish and wildlife conservation in Alaska. Nothing directs the money into a dedicated fund, he added.

[7:50:41 PM](#)

REPRESENTATIVE JOHNSON said he would like to know whether money from [decal sales] could be directed at intensive management.

MR. MULLIGAN answered that the way this would be put into statute right now, it would go into the general fund and be open for appropriation for any purpose because there are no sideboards. He related that ADF&G has talked at length to Representative Seaton about this and ADF&G understands his intent, but there is nothing that is binding and so it cannot be said with 100 percent certainty that that is how it would be funded. However, during every [legislative] session money is scrutinized and accounted for, so it would be known how much money the decal brought in and a determination could be made through the budget process for how to use it.

REPRESENTATIVE SEATON said he brought this forward even though it is not the perfect amendment because he thought the House Resources Standing Committee should look at this and be speaking on it. He said he hopes the House Finance Committee will be able to put some sideboards on it so that [the money] goes to the fish and game fund and that the correct directions are put on [that money]. He offered his hope that the House Resources Standing Committee will be looking at how to generate money for fish and wildlife conservation.

[7:52:21 PM](#)

REPRESENTATIVE JOSEPHSON understood that given that the state constitution prohibits dedicated funds, these monies would intermix with general fund monies and could end up paying for a school teacher in Fairbanks or paving a road in Nome.

MR. MULLIGAN replied correct.

REPRESENTATIVE TARR inquired whether a sentence could be included that says funds from conservation decals shall be directed towards education and wildlife conservation efforts. She said she has seen this kind of language in other places in statute - it is not dedicated, but is directive.

MR. MULLIGAN responded that according to legal counsel the closest to get to this is to say "may" rather than "shall" spend the monies on fish and wildlife education or fish and wildlife diversity.

REPRESENTATIVE JOSEPHSON surmised that the \$15 he spends for a fishing license does not return to ADF&G's coffers except by the legislature's orders - the monies go to a general fund and ADF&G must then make the case that those are monies that by custom and practice should revert back to the department.

MS. HAIGHT answered that license revenue goes directly into the fish and game fund, not the general fund.

REPRESENTATIVE JOSEPHSON inquired why license revenue is not a prohibition on dedicated funds.

MS. HAIGHT replied it is constitutional.

[7:55:06 PM](#)

REPRESENTATIVE JOHNSON said he supports Amendment 2 despite his earlier statement that he would not be supporting any of these amendments. He stated he has no problem with [decal] money going to intensive management and that it be left to ADF&G to decide. He removed his objection to Amendment 2.

[7:55:38 PM](#)

REPRESENTATIVE JOSEPHSON objected to Amendment 2, saying he sees two problems with it. A fundamental argument from people he trusts, which is an argument that he agrees with, is that the non-consumptive users must buy into this to have a seat at the table. And, he continued, [non-consumptive users] would say that they do by buying recreational gear and attending advisory council meetings and all sorts of other things. A decal purchaser would logically think that this would help him or her to see wildlife or fish; however, that isn't the case, although

it might be the case. So, the first problem is that the money doesn't go into the fish and game fund. The second problem is that these monies could end up supporting intensive game management. He said he is glad that Representative Seaton expanded his statement about who would be buying this decal because it could be all sorts of people, from the vegan to the big game hunter and everything in between. Tens of thousands of Alaskans are non-consumptive users and this is the group of people that feels under-represented before the Board of Game. Of the two problems, the first one is the most difficult because the purchaser will believe he or she is helping wildlife because that is what the decal is about, but it may not work out that way. Therefore, he cannot support Amendment 2 even though he thinks there needs to be more buy-in.

[7:58:24 PM](#)

REPRESENTATIVE TARR understood that the fish and game fund is constitutional, but asked whether it is the constitution or statute that says license fees will go to the fish and game fund and, if it is statutory, could this same opportunity exist for decal monies.

MR. MULLIGAN responded that the reason the fish and game fund is a dedicated fund is because federal law requires there be a dedicated fund in order to utilize Pittman-Robertson and Dingell-Johnson funds, so the state constitution allows that.

[7:59:17 PM](#)

CO-CHAIR TALERICO commented that the purchase of licenses and tags are receipts and not taxes. Taxes cannot be dedicated, but he believes receipts can be directed and so that is why receipts from those purchases can be put into that fund. While he is not crazy about everything that intensive management does, he said, he believes that sometimes intensive management actually provides more opportunities for people to see game because of the management of the populations and the ability to have those populations thrive.

CO-CHAIR TALERICO noted that the objection to Amendment 2 is still maintained.

[8:00:24 PM](#)

A roll call vote was taken. Representatives Herron, Johnson, Olson, Seaton, and Talerico voted in favor of Amendment 2.

Representatives Josephson and Tarr voted against it. Therefore, Amendment 2 was adopted by a vote of 5-2.

[8:01:49 PM](#)

CO-CHAIR TALERICO invited discussion of the amended bill.

REPRESENTATIVE HERRON expressed his concern with raising the annual family gross income from less than \$8,200 to less than [\$29,820]. He asked how many more Alaska residents will qualify if this minimum income is raised as proposed.

REPRESENTATIVE TALERICO responded he doesn't know that answer, but said he selected that number because \$29,820 is the poverty level for a family of four, which he thinks is a baseline level for when those should be provided.

REPRESENTATIVE HERRON asked what the fiscal impact would be on the revenue stream if it is raised from \$8,200 to \$29,820.

CO-CHAIR TALERICO answered he is unsure.

MR. MULLIGAN said the best answer that can be given at this time is that while the threshold level is raised, there is also the removal of assistance eligibility, which kind of evens it out. Currently, when a person comes in for a low income license, ADF&G doesn't know whether that person is meeting the threshold level for annual family gross income or qualifying because of being on assistance. Therefore, there is no way to provide an answer at this point in time.

REPRESENTATIVE HERRON requested the sponsor to direct this question to the House Finance Committee, saying it needs to be known what the fiscal impact will be to the revenue stream.

CO-CHAIR TALERICO agreed to pass the question to the House Finance Committee.

[8:04:57 PM](#)

REPRESENTATIVE SEATON said the aforementioned is also of concern to him because \$29,820 is poverty level for a family of four but not for a single person. He requested that this threshold level be addressed separately for a family and for a single person rather than a situation of one size fits all.

CO-CHAIR TALERICO agreed the House Finance Committee should look into this. He shared that when he looked at this he was jolted to find that in 2014 the level of income was \$8,200 in order to qualify for that license, which seems to be substantially low in 2014 dollars.

REPRESENTATIVE TARR said she is pleased to see this provision because she represents a district that is a moderate to low income and many people in her district have the potential to benefit from this increase in income threshold. She pointed out that the committee did not deal today with the compromise nonresident fee proposal brought forth by some of the hunting groups, something she is very interested in. She said she had an amendment drafted because there is the opportunity for securing important federal dollars, but noted that there is similar interest in the House Finance Committee where she hopes to see the amendment happen rather than causing any delay with the bill right now.

[8:08:02 PM](#)

REPRESENTATIVE OLSON moved to report the proposed committee substitute, version 29-LS0625\N, Bullard, 3/16/15, as amended, out of committee with individual recommendations and attached fiscal note and pending fiscal note. There being no objection, CSHB 137(RES) was reported from the House Resources Standing Committee.

[8:08:31 PM](#)

#### **ADJOURNMENT**

There being no further business before the committee, the House Resources Standing Committee meeting was adjourned at 8:08 p.m.