

**ALASKA STATE LEGISLATURE  
HOUSE RESOURCES STANDING COMMITTEE**

March 18, 2020

1:06 p.m.

**MEMBERS PRESENT**

Representative John Lincoln, Co-Chair  
Representative Geran Tarr, Co-Chair  
Representative Grier Hopkins, Vice Chair  
Representative Sara Hannan  
Representative Chris Tuck  
Representative Ivy Spohnholz  
Representative Dave Talerico  
Representative George Rauscher

**MEMBERS ABSENT**

Representative Sara Rasmussen

**COMMITTEE CALENDAR**

HOUSE BILL NO. 218

"An Act relating to salt water sport fishing operators and salt water sport fishing guides; and providing for an effective date."

- MOVED CSHB 218 (FSH) OUT OF COMMITTEE

**PREVIOUS COMMITTEE ACTION**

BILL: HB 218

SHORT TITLE: SALT WATER FISHING: OPERATORS/GUIDES

SPONSOR(S): RULES BY REQUEST OF THE GOVERNOR

01/27/20	(H)	READ THE FIRST TIME - REFERRALS
01/27/20	(H)	FSH, RES, FIN
02/06/20	(H)	FSH AT 11:00 AM GRUENBERG 120
02/06/20	(H)	Heard & Held
02/06/20	(H)	MINUTE (FSH)
02/13/20	(H)	FSH AT 11:00 AM GRUENBERG 120
02/13/20	(H)	Heard & Held
02/13/20	(H)	MINUTE (FSH)
02/20/20	(H)	FSH AT 11:00 AM GRUENBERG 120
02/20/20	(H)	Moved CSHB 218 (FSH) Out of Committee
02/20/20	(H)	MINUTE (FSH)
02/21/20	(H)	FSH RPT CS (FSH) 5AM

02/21/20 (H) AM: KOPP, VANCE, TARR, KREISS-TOMKINS,  
STUTES  
03/13/20 (H) RES AT 1:00 PM BARNES 124  
03/13/20 (H) Heard & Held  
03/13/20 (H) MINUTE (RES)  
03/18/20 (H) RES AT 1:00 PM BARNES 124

#### **WITNESS REGISTER**

DOUG VINCENT-LANG, Commissioner  
Alaska Department of Fish & Game  
Juneau, Alaska

**POSITION STATEMENT:** Reviewed the bill and answered questions during the hearing on HB 218.

TOM TAUBE, Deputy Director  
Division of Sport Fish  
Alaska Department of Fish & Game  
Juneau, Alaska

**POSITION STATEMENT:** Answered questions during the hearing on HB 218.

FORREST BRADEN, Executive Director  
Southeast Alaska Guides Organization  
Ketchikan, Alaska

**POSITION STATEMENT:** Testified during the hearing on HB 218.

MELVIN GROVE, President  
Prince William Sound Charter Boat Association  
Wasilla, Alaska

**POSITION STATEMENT:** Testified in opposition to HB 218.

DAVID RUTZ, Director  
Division of Sport Fish  
Alaska Department of Fish & Game  
Anchorage, Alaska

**POSITION STATEMENT:** Offered comments during the hearing on HB 218.

#### **ACTION NARRATIVE**

[1:06:48 PM](#)

**CO-CHAIR GERAN TARR** called the House Resources Standing Committee meeting to order at 1:06 p.m. Representatives Talerico, Hannan, Hopkins, Spohnholz, Rauscher, Lincoln, and

Tarr were present at the call to order. Representative Tuck arrived as the meeting was in progress.

**HB 218-SALT WATER FISHING: OPERATORS/GUIDES**

[1:09:22 PM](#)

CO-CHAIR TARR announced the only order of business would be CS FOR HOUSE BILL NO. 218(FSH), "An Act relating to salt water sport fishing operators and salt water sport fishing guides; and providing for an effective date." [Before the committee was CSHB 218(FSH).]

[1:10:01 PM](#)

DOUG VINCENT-LANG, Commissioner, Alaska Department of Fish & Game (ADF&G), said HB 218 provided funding for treaty obligations ADF&G had pertaining to [the Northern Pacific Halibut Act of 1982] and [the Pacific Salmon Treaty of 1985].

[1:10:41 PM](#)

REPRESENTATIVE HOPKINS asked whether the reporting requirements were new or whether they had been in place before and the process was being extended.

COMMISSIONER VINCENT-LANG answered that the requirements were the same as the ones in place at the sunset of HB 218 "a year or two ago."

[1:11:15 PM](#)

REPRESENTATIVE HANNAN asked how many salt water guides there were.

[1:11:37 PM](#)

TOM TAUBE, Deputy Director, Division of Sport Fish, ADF&G, replied that there were approximately 800 salt water guides and 400 businesses, and the number was about equal for freshwater.

REPRESENTATIVE HANNAN asked how many of these were salt water and freshwater guides.

MR. TAUBE replied that because there was no logbook data for freshwater and the registration program was not specific to freshwater or salt water, that information was not available.

1:12:50 PM

REPRESENTATIVE RAUSCHER asked about fees and whether the fiscal notes were correct.

1:13:20 PM

COMMISSIONER VINCENT-LANG replied that the fee structure was higher than at the sunset of HB 218, but ADF&G tried to recover the cost of the logbook program. He offered his understanding that the fiscal note was current.

REPRESENTATIVE RAUSCHER observed that the date was January 27 on the committee's copy.

1:14:14 PM

CO-CHAIR TARR opened public testimony on CSHB 218(FSH).

1:14:31 PM

FORREST BRADEN, Executive Director, Southeast Alaska Guides Organization, said data was critical, and he supported HB 218 conditionally. He said information gathered through the logbook program was crucial to the operation of the industry and to get people up fishing from the Lower 48, and he said the program should advance. Mr. Braden said there was also concern about data collection on halibut. One reason "pains had been taken" to be so specific about names on licenses was because the federal government wanted to know exactly what the halibut release and harvest was, he said. He added as far as he knew there was no subsidy from the National Oceanic and Atmospheric Administration (NOAA), the cost was a burden to the industry, and it seemed like a high fee structure. He said it has been a shock to the industry that the fees were being doubled, and he suggested other sources for cost, such as surcharges on licenses.

1:17:26 PM

CO-CHAIR TARR asked whether, prior to the sunset of the program, fees were half of what was suggested under CSHB 218(FSH).

MR. BRADEN confirmed fees had been \$200 and were currently \$400. He added that ADF&G has had to foot the bill.

CO-CHAIR TARR asked for an explanation of guided angler fish (GAF).

MR. BRADEN replied if one looked in the logbook, there would be a column for halibut and a column for GAF fish. If there were a way for anglers to have extra opportunities to harvest halibut, that data would also be collected. This is another burden placed by the federal government on those keeping the logbooks, he explained.

CO-CHAIR TARR confirmed that the National Marine Fisheries Service had previously suggested there would be some support.

[1:19:52 PM](#)

MELVIN GROVE, President, Prince William Sound (PWS) Charter Boat Association, stated members strongly opposed HB 218. He said there was no opposition to filling out the logbooks. He said one of the issues members had was that under the salt water registry, anglers working under the federal government would be charged \$30 and clients would fish for free. It would not be necessary to obtain a license if one fished in salt water under the salt water registry, he explained. This could be confirmed by NOAA's website, he added. Because the state has an agreement with the federal government to provide data, there was a charge for fishing licenses, from which millions of dollars were collected yearly. Logbook data from the association was used as it was more accurate in terms of halibut allocation.

[1:21:41 PM](#)

MR. GROVE said the state used to use harvest survey data, which cost about \$400,000 or \$500,000 to obtain. He said the data was so inaccurate that the association's data was used in its stead. He questioned why money was being spent on an outdated survey when data was being provided by the association for free. He pointed to the fiscal note which listed \$356,000 for personal services and wondered how that was justified. He said the state does not have to analyze the data but may give it to NOAA or to the federal government for analyzation. He added that the federal government should reimburse the state, and if this happened, charter boat operators should also be reimbursed. He opined that this was a money grab by ADFG. He said he found it ironic that freshwater guides were being left out when in years past they had been included. He restated his opposition, citing added restrictions, and said it was not reasonable to pay the guide license fee.

[1:25:00 PM](#)

CO-CHAIR TARR asked Mr. Grove whether the association was originally opposed when the fees had been lower.

MR. GROVE replied that they had been opposed in 2012-2014 when Charlie Swanton had been director. They had agreed to a \$200 fee for everyone, which had since sunset. He said he has been trying to raise awareness of HB 218, as among the association it is little known legislation, he stated.

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CO-CHAIR TARR, after ascertaining no one else wished to testify, closed public testimony on CSHB 218(FSH).

CO-CHAIR TARR cited the fiscal note and asked for ADF&G's response.

[1:27:53 PM](#)

COMMISSIONER VINCENT-LANG said the cost of the program was more expensive than what they were trying to recover. He said the goal was to recover costs, make logbooks electronic, and break even, if not save money through the program. He said he understood complaints surrounding federal requirements to get money. The federal government would charge anglers to put the program in place, so ADF&G felt better being in control of it. Commissioner Vincent-Lang reiterated there was value in keeping the state in control of data.

[1:29:11 PM](#)

MR. TAUBE added costs barely covered the existing cost of the program, and there was a push for e-logbooks, which would make data available sooner than the paper logbooks.

COMMISSIONER VINCENT-LANG said he intended to try to get more money from the federal government as the obligations were federal.

[1:30:46 PM](#)

REPRESENTATIVE HANNAN asked whether the doubling of fees since 2018 was because fewer guides would be participating or because it was taking more general funds to operate the logbook program.

She then asked, if "people converting to electronic versus paper" resulted in cost-savings, whether fees would be reduced after a season.

COMMISSIONER VINCENT-LANG replied all costs were now paid by ADF&G funds and Dingell-Johnson (DJ) [funds]. He said he thought part of the reason program costs were increased was that it was underfunded and supplanted by other funding sources, which were becoming more and more competitive in terms of how business was being done across the state. He said he thought there was some reduction in freshwater costs, but the main issue was the program was not paying its costs. If money were to come in from the federal government or there was evidence money would be saved by e-logs, Commissioner Vincent-Lang said he would be happy to revisit fees and pass savings on to charter boat anglers.

[1:32:48 PM](#)

DAVID RUTZ, Director, Division of Sport Fish, ADFG, said that even when the freshwater program was in place, it was underfunded and other ways to collect money had been sought.

[1:33:30 PM](#)

REPRESENTATIVE HANNAN asked, if data had been driven by federal treaties and regulations, how Alaska's logbooks would compare to Washington state's in terms of salmon and halibut data collection.

[1:34:00 PM](#)

COMMISSIONER VINCENT-LANG responded that he knew Washington state had salt water and krill survey programs. He said that when Salmon Treaty data had been obtained, it had been through dockside krill surveys or logbooks from charter boat operators. He added he was unsure of the cost of programs.

REPRESENTATIVE HANNAN asked whether any other treaty partners or halibut participants had been successful in recouping costs for data they had collected for the federal government.

COMMISSIONER VINCENT-LANG replied he was not aware of halibut; on the Salmon Treaty side, money had gone into increased mitigation and not into dockside reporting. He said additional money through the Salmon Treaty would be used to help determine stock origins of fish.

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CO-CHAIR TARR noted that bare boat charters enabled lodges to bypass halibut restrictions by renting boats to anglers. She acknowledged that the lack of data on how many halibut were caught in this manner was an unresolved issue and could be impactful to fisheries.

1:38:14 PM

CO-CHAIR LINCOLN moved to report CSHB 218(FSH) out of committee with individual recommendations and the accompanying fiscal notes. There being no objection, CSHB 218(FSH) was reported out of the House Resources Standing Committee.

1:40:08 PM

**ADJOURNMENT**

There being no further business before the committee, the House Resources Standing Committee meeting was adjourned at 1:40 p.m.