

S B

139

HOUSE COMMITTEE REPORT

(9)

Date Referred: March 1, 1989

FURTHER REFERRALS: FINANCE

Date of Committee Action: 3-8-89

The RESOURCES Committee considered:

CSSB 139(Res)

CS FOR SENATE BILL NO. 139 (Res) [EXTEND TASK FORCE ON GUIDING AND GAME]
"An Act providing for retroactive extension of the termination date of the Task Force on Guiding and Game; increasing the membership of the Task Force on Guiding and Game; authorizing certain agencies to assist the Task Force on Guiding and Game; and providing for an effective date."

RECOMMENDS:

- replacing with HCS CSSB 139 (RES) the same title
- the attached amendment(s) a new title
- do pass
- do not pass
- no recommendation
- individual recommendations
- additional referral to the _____ Committee

ADOPTS: RESOURCES letter of intent

ATTACHES NEW FISCAL NOTE(S):

- fiscal impact
- zero fiscal note
- zero with analysis

APPROVES PREVIOUS:

- fiscal note(s) published: _____
- zero fiscal notes(s) published: _____

SIGNING DO PASS:

[Signature]

Bill Davidson

Mike Davis

Bob Sharp

Mike Howard

Gene Jones Jr

Bill Hunt

SIGNING OTHER THAN DO PASS:
(Do Not Pass, No Recommendation, Amend)

W. Williams NO Rec

Richard [Signature] "

[Signature]
Chairman's signature



Alaska State Legislature

HOUSE OF REPRESENTATIVES
COMMITTEE ON RESOURCES

POUCH V
JUNEAU, ALASKA 99811
(907) 465-3715

Letter of Intent
For
HCS CS SB 139 (Res)

It is the intent of the legislature that the task force established under the provisions of SB 139 shall consider the implications of the Owsichek decision issued by the Alaska Supreme Court on October 21, 1988 when developing the resource-based management system for allocating big game hunting opportunities among guide-outfitters.

It is the intent of the legislature that the foremost purpose of any management system should be the conservation of game resources. Any system that places restrictions on free market competition between guides must be based on clear findings that such restrictions are needed to prevent harmful impacts on game populations that cannot be prevented through licensing requirements, bag limits, seasonal restrictions, or other traditional game management tools that are now available to the state.

Without a constitutional amendment, a system would have to provide the broad access guaranteed by the common use clause of the constitution. The system would have to have access rights that are limited in duration, and the system would have to provide equal opportunity to all qualified guides when these rights are reassigned. In order to prevent the development of non-uniform policies by various federal, state, and private landowners, the system should have statewide applicability.

Handwritten signature of Cliff Davidson.

Rep. Cliff Davidson
Co-Chair

Handwritten signature of Curt Menard.

Rep. Curt Menard
Co-Chair

FISCAL NOTE

REQUEST:

Revision Date: _____ Affect Agency Legislative Affairs Agency
 Title: An Act providing for retroactive
extension of the termination date of the Task...
 Sponsor: House Resources BRU: Legislative Council
 Requestor: House Resources Components Council & Subcommittees

EXPENDITURES/REVENUES: (THOUSANDS OF DOLLARS)

OPERATING	FY 89	FY 90	FY 91	FY 92	FY 93	FY 94
Personal Services	5.1	10.1	0	0	0	0
Travel	10.5	10.5	0	0	0	0
Contractual	3.0	3.0	0	0	0	0
Supplies	0	0	0	0	0	0
Equipment	0	0	0	0	0	0
Land & Structures						
Grants, Claims						
Miscellaneous						
TOTAL OPERATING	*18.6	23.6	0	0	0	0

CAPITAL	0	0	0	0	0	0
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REVENUE	0	0	0	0	0	0
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FUNDING: (THOUSANDS OF DOLLARS)

General Fund	*18.6	23.6	0	0	0	0
Federal Fund						
Other						
TOTAL	*18.6	23.6	0	0	0	0

POSITIONS:

Full-Time	0	0	0	0	0	0
Part-Time	1	1	0	0	0	0
Temporary	0	0	0	0	0	0

ANALYSIS: (ATTACH A SEPARATE PAGE IF NECESSARY)

* FY 89 funding will be requested in the supplemental bill.

The Task Force on Guiding and Game was established under the jurisdiction of the Legislative Council Committee. This bill version will add 2 members to the Task Force and extend the termination date of the Task Force to Jan. 15, 1990. The Task Force will be composed of 15 members, 3 from the Executive Branch, 2 legislators from the Legislative Branch and 10 public members.

Prepared By: Pamela Stoops, Director *Pamela Stoops* Phone: 465-3850
 Division: Administrative Services Date: 3/8/89

Approved By: Warren Endicott, Executive Director *Warren Endicott*
 Agency: Legislative Affairs Agency Date: 3/8/89

DISTRIBUTION (BY PREPARER)
LEGISLATIVE FINANCE
LEGISLATIVE SPONSOR

REQUESTOR
OFFICE OF MANAGEMENT & BUDGET
AGENCY (IES)

CONTINUATION OF FISCAL ANALYSIS

It is assumed that travel funds for this task force will be paid as follows:

3 Executive Branch members - absorbed within existing executive branch departments.

2 Legislative Branch members - absorbed within existing Legislative Operating Budget or Session Expenses.

10 Public members - paid by Legislative Council funds as projected below.

Projected expenses for the Task Force on Guiding and Game are as follows:

	FY 89		FY 90
Personal Services - Staff for the Task Force:			
Secretary, Range 14, Step A--3 months 1/2 time	5,100	full-time	10,100
Travel- 2 trips @ 366 x 10 members	7,320		7,320
2 days per diem (\$80)			
2 trips x 10 members	3,200		3,200
Contractual- Advertising-Public Notices	<u>3,000</u>		<u>3,000</u>
	18,600		23,620

Supplies- Will come from existing Legislative Council and Legislative Operating supplies.

Equipment- Will come from existing Legislative Council and Legislative Operating equipment.

FY 89 costs are for one-half year.

FY 90 costs are for one-half year.

FISCAL NOTE

REQUEST:

Revision Date: _____ Agency Affected: Commerce & Economic Dev.
 Title: An Act providing for retroactive BRU: Occupational Licensing
extension of the term, date of the Task Force on Guiding and Game...
 Sponsor: Senate Resources Components: _____
 Requestor: Senate Resources

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 89	FY 90	FY 91	FY 92	FY 93	FY 94
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0	0	0	0	0	0

CAPITAL	0	0	0	0	0	0
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REVENUE	0	0	0	0	0	0
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FUNDING: (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER						
TOTAL	0	0	0	0	0	0

POSITIONS:

FULL-TIME	0	0	0	0	0	0
PART-TIME	0	0	0	0	0	0
TEMPORARY	0	0	0	0	0	0

ANALYSIS : (Attach a separate page if necessary)

Prepared by: Jennifer Strickler, Administrative Officer Phone: 465-2144
 Division: Occupational Licensing Date: February 15, 1989

Approved by Commissioner: Larry Mercurieff Date: 2/15/89
 Agency: Commerce and Economic Development

Distribution (by preparer):
 Legislative Finance
 Legislative Sponsor
 Requestor
 Office of Management and Budget
 Impacted Agency(ies)

FISCAL NOTE

REQUEST:

Revision Date: 2/15/89 Agency Affected: Public Safety
 Title: Retroactive extension of the BRU: Fish & Wildlife Protection
termination date of the Task Force
 Sponsor: Senate Resources Component: Enforcement
 Requestor: Senator Fahrenkamp

EXPENDITURES/REVENUES: (Thousands of Dollars) (Inflation not included)

OPERATING	FY 89	FY 90	FY 91	FY 92	FY 93	FY 94
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	-0-	-0-	-0-	-0-	-0-	-0-

CAPITAL	-0-	-0-	-0-	-0-	-0-	-0-
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REVENUE	-0-	-0-	-0-	-0-	-0-	-0-
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FUNDING: (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER						
TOTAL	-0-	-0-	-0-	-0-	-0-	-0-

POSITIONS:

FULL-TIME	0	0	0	0	0	0
PART-TIME	0	0	0	0	0	0
TEMPORARY	0	0	0	0	0	0

ANALYSIS: (Attach a separate page if necessary)

This bill continues the existence of the Task Force on Guiding and Game. No additional impact, beyond that already being incurred by DPS to participate in Task Force meetings, is anticipated.

RECEIVED
FEB 16 1989

Prepared by: Captain Conrad G. Seibel LEGISLATIVE FINANCE Phone: 269-5509
 Division: Fish & Wildlife Protection Date: 2/15/89
 Approved by Commissioner: S.A. H. Arthur English Date: 2/15/89
 Agency: Department of Public Safety



STATE OF ALASKA
OFFICE OF THE GOVERNOR
BILL ANALYSIS

DEPARTMENT Fish & Game	DIVISION Wildlife Conservation	BILL NUMBER SB 139	SPONSOR Resources Committee
SHORT TITLE OF BILL Extension of Task Force on Guiding and Game			
DEPARTMENT POSITION Support			
PREPARED BY Wayne Recelin	DATE 2/3/89	COMMITTEE'S SIGNATURE <i>Wayne Recelin</i>	DATE 2/3/89

SUMMARY

OTHER AGENCIES AFFECTED BY BILL Department of Public Safety Department of Commerce & Economic Development	CONSTITUENT GROUPS AFFECTED BY BILL Big game commercial service providers Resident and nonresident hunters using commercial services
ORGANIZATIONAL SUPPORT FOR BILL Unknown	ORGANIZATIONAL OPPOSITION TO BILL Unknown

FISCAL IMPACT: NONE FISCAL NOTE ATTACHED

BACKGROUND/LEGISLATIVE INTENT The 1988 Legislature created a task force on guiding and game to recommend changes in the licensing of big game guides and outfitters. After creation of the task force, the Alaska Supreme Court ruled that guides could not be granted exclusive rights to guide in an area. The task force broadened their mission to examine ways to manage the guide/outfitter industry. The task force made numerous recommendations for change in the licensing of commercial users of big game that are reflected in SB 140. The task force did not have adequate time to formulate recommendations for a new management system.

ANALYSIS OF BILL/PROGRAM EFFECTS

Passage of this bill will result in extension of the task force on game and guiding until January 15, 1991. Membership on the task force will remain the same. The task force will devise potential solutions for administering the guide/outfitter industry on state lands and all other lands in Alaska. Solutions will be based on an area management system using existing game management unit boundaries and consideration of the abundance and distribution of big game resources.

AMENDMENTS PROPOSED

PLEASE ATTACH A SEPARATE SHEET FOR ADDITIONAL COMMENTS OR ANALYSIS.

FISCAL NOTE

REQUEST:

Revision Date: _____
 Title: An Act extending Task force
on guiding and game
 Sponsor: Resources
 Requestor: Senator Fahrenkamp

Agency Affected: Fish and Game
 BRU: Wildlife Conservation
 Components: _____

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 89	FY 90	FY 91	FY 92	FY 93	FY 94
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0	0	0	0	0	0
CAPITAL						
REVENUE						

FUNDING: (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER						
TOTAL	0	0	0	0	0	0

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS : (Attach a separate page if necessary)

Prepared by: *Ken Powell*
 Division: Wildlife Conservation
 Approved by Commissioner: *Alvin M. Nelson*
 Agency: Fish and Game

Phone: 465-4190
 Date: 2/15/89

Date: 2/15/89

Distribution (by preparer):
 Legislative Finance
 Legislative Sponsor
 Requestor
 Office of Management and Budget
 Impacted Agency(ies)

6-0399E
Utermohle
2/15/89

Original sponsor: Resources Committee

1 IN THE HOUSE

BY THE RESOURCES COMMITTEE

2 CS FOR HOUSE BILL NO. 113 (Resources)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 SIXTEENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act providing for retroactive extension of the
7 termination date of the Task Force on Guiding and
8 Game; increasing the membership of the Task Force on
9 Guiding and Game; authorizing certain agencies to
10 assist the Task Force on Guiding and Game; and
11 providing for an effective date."

12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

13 * Section 1. Section 14(d), ch. 160, SLA 1988, is repealed and re-
14 enacted to read:

15 (d) The task force terminates on the earlier of

16 (1) January 15, 1990; or

17 (2) the date of enactment into law of

18 (A) a licensing system for hunting guides and other
19 persons who provide services to hunters for the purpose of
20 facilitating the harvest of big game; and

21 (B) a management system for allocating rights of
22 access to big game to licensed guides.

23 * Sec. 2. Notwithstanding the qualifications for members of the Task
24 Force on Guiding and Game set out in sec. 14(a), ch. 160, SLA 1988, the
25 members of the task force on January 8, 1989, shall continue to serve until
26 they resign or the task force is terminated.

27 * Sec. 3. Notwithstanding the number and composition of the Task Force
28 on Guiding and Game set out in sec. 14(a), ch. 160, SLA 1988, the member-
29 ship of the task force is increased by two additional members appointed by

1 the governor. Persons appointed to the task force under this section shall
2 have expertise in research and analysis and, if possible, particular knowl-
3 edge in resource management or allocation systems. Persons appointed to
4 the task force under this section may not have a financial interest in any
5 business involving or related to the commercial taking of game.

6 * Sec. 4. The Office of the Governor, office of management and budget,
7 division of policy and the legislature's House Research Agency and Senate
8 Advisory Council shall provide information, data, research, analysis, and
9 technical assistance to the task force, as requested by the task force, for
10 the purpose of developing a management system for allocating rights of
11 access to big game to licensed guides.

12 * Sec. 5. Sections 1 - 4 of this Act are retroactive to January 8,
13 1989.

14 * Sec. 6. This Act takes effect immediately under AS 01.10.070(c).
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STATE OF ALASKA
THE LEGISLATURE

POUCH Y STATE CAPITOL
JUNEAU, ALASKA 99811
907 465 3800

LEGISLATIVE AFFAIRS AGENCY

MEMORANDUM

February 22, 1989

SUBJECT: Committee amendment to draft CS HB 113(Res)
TO: Representative Curt Menard
Attn: Johanna Munson
FROM: George Utermohle *GU*
Legislative Counsel

You have asked how I would have drafted the amendment to the draft CS HB 113(Res) adopted by the House Resources Committee.

I would have drafted the amendment to read as follows:

Page 2, lines 1 - 5, after "governor.":

Delete all material.

Insert:

"Of the two persons appointed to the task force under this section, one person shall have expertise in research and analysis and, if possible, particular knowledge in resource management or allocation systems and may not have a financial interest in a business involving or related to the commercial taking of game and one person shall represent Native village landholders."

Please note that only the form of the amendment is changed in order to preserve clarity and consistency of style. The substance of the amendment would not be changed.

The amendment would look much different if the prohibition against a financial interest in the commercial taking of game also applied to the representative of Native village landholders.

Representative Curt Menard
Page 2
February 22, 1989

A copy of the amendment actually adopted by the committee is attached for comparison.

If I may be of further assistance, please advise.

GU:mi:kb
I3/086

Attachment

(AMENDMENT ()
TO CS HB 113

pg. 2 line 1 : Delete - "Persons" appointed"
Add - "The first appointee"

pg. 2 line 3 : Delete - "Persons appointed ~~and~~
to the task force under this
section"
Add - "This appointee"

pg. 2 line 5 : Add - "The second appointee
to the task force shall be a
person who represents Native
village landholders," ~~and may~~
~~have~~