

HB

246

CS FOR HOUSE BILL NO. 246(RES)

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-SIXTH LEGISLATURE - SECOND SESSION

BY THE HOUSE RESOURCES COMMITTEE

**Offered:
Referred:**

Sponsor(s): REPRESENTATIVES NEUMAN, Johnson, Keller

A BILL

FOR AN ACT ENTITLED

1 **"An Act delaying the repeal of certain statutes relating to the licensing and regulation of**
2 **sport fishing operators and sport fishing guides and licensing and registration of sport**
3 **fishing vessels until January 1, 2013; and providing for an effective date."**

4 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

5 *** Section 1.** Section 8, ch. 70, SLA 2004, as amended by sec. 3, ch. 61, SLA 2009, is
6 amended to read:

7 Sec. 8. AS 16.05.340(a)(26); AS 16.40.260, 16.40.270, 16.40.280, 16.40.290,
8 16.40.299; AS 25.27.244(s)(2)(A)(xviii), and 25.27.244(s)(2)(A)(xix) are repealed
9 January 1, 2013 [2011].

10 *** Sec. 2.** This Act takes effect immediately under AS 01.10.070(c).

CS FOR HOUSE BILL NO. 246()

**IN THE LEGISLATURE OF THE STATE OF ALASKA
TWENTY-SIXTH LEGISLATURE - SECOND SESSION**

BY

Offered:

Referred:

Sponsor(s): REPRESENTATIVES NEUMAN, Johnson, Keller

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to the licensing and regulation of sport fishing operators and sport**
2 **fishing guides and licensing and registration of sport fishing vessels; delaying the repeal**
3 **of certain statutes relating to the licensing and regulation of sport fishing operators and**
4 **sport fishing guides and licensing and registration of sport fishing vessels until**
5 **January 1, 2013; and providing for an effective date."**

6 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

7 *** Section 1.** AS 16.05.340(a)(26) is amended to read:

- 8 (26) Fishing services licenses
- 9 (A) Sport fishing operator license 50 [100]
- 10 (B) Sport fishing guide license 50
- 11 (C) Sport fishing operator and sport fishing guide combined
- 12 license 50 [100].

13 *** Sec. 2.** Section 8, ch. 70, SLA 2004, as amended by sec. 3, ch. 61, SLA 2009, is amended

1 to read:

2 Sec. 8. AS 16.05.340(a)(26); AS 16.40.260, 16.40.270, 16.40.280, 16.40.290,
3 16.40.299; AS 25.27.244(s)(2)(A)(xviii), and 25.27.244(s)(2)(A)(xix) are repealed
4 January 1, 2013 [2011].

5 * **Sec. 3.** This Act takes effect immediately under AS 01.10.070(c).

ALASKA STATE LEGISLATURE

Co-Chair:
House Committee on Natural Resources

Vice Chair
House Committee on Labor and Commerce

Member:
House Committee on Rules, House Special
Committee on Economic Development, Trade,
and Tourism, and Legislative Budget & Audit
Committee



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REPRESENTATIVE MARK NEUMAN

Rep.Mark.Neuman@legis.state.ak.us

Sponsor Statement

HB 246

SPORT FISH GUIDE LICENSES

HB 246 extends Alaska's sport fish guide licensing and reporting program for one year. The data collected through this program has been an important tool for the proper management of sport fisheries through a better understanding of our fish stocks and their harvest. In addition, the licensing has ensured a standard for professionalism and responsibility for sport fish businesses and guides, benefiting both consumer and businesses alike.

The data collected through the reporting program is important in Alaska's exemption from the National Saltwater Angler Registry which will prevent Alaskans from purchasing a certificate of registration.

The sport fish guide licensing program provides necessary data for the wise management of Alaska's fish resources while ensuring professionalism in the guiding industry and preventing the need for further licensing and registration for Alaskan anglers.

26-LS0929\A

FISCAL NOTE

STATE OF ALASKA
2010 LEGISLATIVE SESSION

Fiscal Note Number: _____
Bill Version: HB246
() Publish Date: _____

Identifier (file name): HB246-DFG-SFD-03-10-10 Dept. Affected: ADFG
Title An act repealing the termination of the sport fish operator/guide/vessel program RDU Sport Fisheries
Component Sport Fisheries
Sponsor Representative Neuman
Requester Fish, Resources, Finance Component Number 464

Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

	Appropriation Required	Information						
		FY 2011	FY 2011	FY 2012	FY 2013	FY 2014	FY 2015	FY 2016
OPERATING EXPENDITURES								
Personal Services		337.1	337.1	337.1	337.1	337.1	337.1	337.1
Travel		10.0	10.0	10.0	10.0	10.0	10.0	10.0
Contractual		83.5	83.5	83.5	83.5	83.5	83.5	83.5
Supplies		7.0	7.0	7.0	7.0	7.0	7.0	7.0
Equipment								
Land & Structures								
Grants & Claims								
Miscellaneous								
TOTAL OPERATING	0.0	437.6	437.6	437.6	437.6	437.6	437.6	437.6

CAPITAL EXPENDITURES								
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CHANGE IN REVENUES ()								
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FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts								
1003 GF Match								
1004 GF								
1005 GF/Program Receipts								
1037 GF/Mental Health								
Other Interagency Receipts		437.6	437.6	437.6	437.6	437.6	437.6	437.6
TOTAL	0.0	437.6	437.6	437.6	437.6	437.6	437.6	437.6

Estimate of any current year (FY2010) cost: 0.0

POSITIONS

Full-time								
Part-time								
Temporary								

ANALYSIS: (Attach a separate page if necessary)

The division has budgeted \$437.6 in the FY11 Governor's budget to administer the Sport Fish operator/guide/vessel program. The program generates average Fish & Game Fund revenues of \$242.8, with the balance of program expenditures funded with Sport Fishing license sale revenue. Although potential cost savings measures are being implemented, it is untenable at this time to make accurate projections on what monetary savings will be realized for this program over the upcoming years.

Prepared by: Charles O. Swanton, Director
Division Sport Fisheries
Approved by: Tom Lawson, Director
Administrative Services

Phone 465-6184
Date/Time 3/10/10 4:00 PM
Date 3/11/2010

**Brief for HB 246: SPORT FISH GUIDE LICENSES
(Reauthorization of Program/Repeal of Sunset)
March 16, 2010**

Alaska Department of Fish and Game Contacts:

Charlie Swanton - Charles.Swanton@alaska.gov; phone: 465-6184 or 321-0955

Jennifer Yuhas - Jennifer.Yuhas@alaska.gov; phone: 465-6137 or 388-7951.

Background:

- Original legislation passed in May, 2004; effective January 1, 2005.

- Proposed by the Department for three main reasons:
 1. Information on guide numbers and their fishing activities was either not available or limited in many parts of the state;
 2. Establish minimum standards to operate a business or contract as a guide (safety, liability insurance, US Coast Guard license, etc.) as a means to increase professionalism and reduce speculative entry; and
 3. Provide comprehensive and credible data on guided sport fishing activities to regulatory agencies: Alaska Board of Fisheries (BOF), International Pacific Halibut Commission (IPHC), and North Pacific Fisheries Management Council (NPFMC).

Legislation:

Sec.16.40.260 Sport fishing operator license;

Sec.16.40.270 Sport fishing guide license;

Sec.16.40.280 Reports;

Sec.16.40.290 Penalties for violations.

These legislative sections include licensing provisions and fees (AS. 16.05.340(a)) for sport fishing business owners (\$100), sport fishing guides working for the business (\$50), and business owners who are also a guide (owner/operator combo \$100). The mandatory reporting requirements, logbooks, are for both fresh and saltwater guide activities (freshwater logbooks were instituted in 2005). The penalties for sport fish guiding violations by business owners and guides include possible revocation of their license.

Companion Regulations:

5 AAC 75.075 Sport fishing services and sport fishing guide services; license requirements; regulation of activities.

5 AAC 75.076. Sport fishing services and sport fishing guides reporting requirements.

5 AAC 75.077. Sport fishing guide vessel registration requirements.

Present Benefits and Utility:

- A comprehensive list of all sport fishing guides working in salt water is part of the data requirements that will allow Alaska to receive an exemption from participating in the National Saltwater Angler Registry (up to \$25/saltwater angler in 2011).
- The logbook data for saltwater anglers has been used extensively within the IPHC and NPFMC for rule making on Pacific Halibut.
- Both freshwater and saltwater logbook harvest data has been presented and utilized by the Alaska Board of Fisheries. Harvest estimate verification studies are being conducted comparing logbook, statewide sport fish harvest survey, and dock side creel programs.

Participation Statistics:

- An average of **1,647 sport fishing business licenses** (including owner/operator combo) have been sold (2005-2009); 90% of owners are Alaskan residents.
- An average of **1,882 sport fishing guide licenses** have been sold (2005-2009); 73% of guides are Alaskan residents.
- Based on logbook data, over **2.1 million clients took 536,960 guided fishing trips** (from 2005 through 2009); 67% of clients fished in saltwater, 33% fished in freshwater and 88% of all clients were nonresidents.
- An average of **1,334 vessels in saltwater** were used for guided fishing trips (2005-2009).

Electronic Reporting (Modernization initiative):

- One of Commissioner Lloyd's initiatives is modernization and timely reporting of recreational harvest data. We have been actively working on this task:
 - In July, 2009 we developed a scannable saltwater logbook form which will reduce the time lag when logbook data is available from 2 to 3 months to 1 to 2 weeks. This new form will be employed for saltwater forms statewide in 2010. Ten public meetings were held across the state to explain this new format and received nearly unanimous support from user groups and public.
 - In April, 2010 the point of sale hunting and fishing licensing program will be launched at all ADF&G regional offices. This program will be made available to all license vendors shortly thereafter.
 - We will convert the freshwater logbook to a scannable format starting in 2011.



TRIP INFORMATION

Complete this section for every trip. Continue on additional pages for trips with more than eight anglers in the same day.

DATE FISHED: ___/___/2010 AM PM

2010 FISH & GAME GUIDE LICENSE #: (assigned to you by ADF&G)

COMMUNITY OR PORT OF OFF-LOADING: (where fish or clients were off-loaded from vessel)

Table with 3 columns: Targeted Species, Primary Stat. Area, No. Of Boat Hours Fished. Rows for Salmon and Bottomfish.

INSTRUCTIONS: Complete one row below for each angler who fished on this trip.

INDIVIDUAL ANGLER AND CATCH INFORMATION

Record sport fishing license number, printed name AND AK residency status for each angler that fished this trip.

Include birthdate (e.g. 8/28/1998) for all anglers under 16.

Header table for catch information with columns for SALMON (Kept/Released, King, Coho, Sockeye, Other Salmon) and BOTTOMFISH (Hailbut, Lingcod, Pelagic Rockfish, Yelloweye Rockfish, Nonpelagic Rockfish, Sablefish, Black Cod, Salmon Shark, All Other Fish).

Main data table with 8 rows for anglers. Each row contains fields for License Number, Name, Birthdate, and catch counts for various species.

Form 11-540 (01-2010)

CERTIFICATION: I certify that the information contained in this document is true and correct to the best of my knowledge.

GUIDE SIGNATURE

PAGE OF

STATE OF ALASKA

SEAN PARNELL, GOVERNOR

DEPARTMENT OF FISH AND GAME

OFFICE OF THE COMMISSIONER

P.O. BOX 115526
JUNEAU, AK 99811-5526
PHONE: (907) 465-4100
FAX: (907) 465-2332

April 15, 2010

The Honorable Mark Neuman
House of Representatives
Alaska State Capitol, Room 432
Juneau, Alaska 99801

Representative Neuman,

It has come to my attention that yesterday's House Resources Committee hearing on Sportfish Guide Licensing yielded another discussion regarding a perceived neglect on behalf of the department to furnish documentation to your office regarding the report entitled "Economic Impacts and Contributions of Sportfishing in Alaska."

After multiple correspondence and lengthy debate with your office last year I had thought the issue was settled. You originally asked for a "draft" of the report which the department did not possess. My office referred you to the contractor responsible for the report on multiple occasions citing that the department did not possess any such document to meet your request. After many attempts to explain that while the report had undergone a formal peer review process, the department was only in possession of the final report and was in no way harboring a draft; my staff took extra time to compile a report for you outlining the changes made in the formal peer review process. The Legislative Legal memo you referred to in yesterday's bill hearing addresses the need to supply a "report" rather than a "draft." The report has been supplied, and the department possesses no such "draft" per your request.

I will again refer you to the contractor to discuss the existence and acquisition of any draft material you are seeking. I have attached last year's report to your office for reference along with a copy of e-mail correspondence from our contractor citing the peer review process. The attachment also includes contact information for the contractor so that you may pursue any avenues you require directly through the contractor.

This report clearly showed that sportfishing is an important component of the Alaskan economy. The department is proud of this report and stands behind it. It is my sincere hope that everyone interested in the use of Alaska's sportfishing resources will glean some useful information from this report and better recognize the contributions of sportfishing to Alaska's economy.

Sincerely,



Denby S. Lloyd
Commissioner

STATE OF ALASKA

DEPARTMENT OF FISH AND GAME

DIVISION OF SPORTFISH

SARAH PALIN, GOVERNOR

P.O. Box 115526
Juneau, Alaska 99811-5526
PHONE: (907) 465-4180
FAX: (907) 465-2772

April 8, 2009

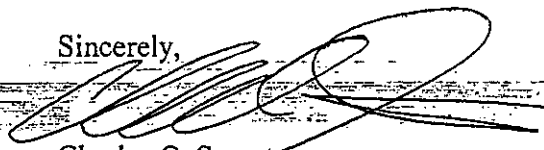
Representative Neuman
State of Alaska
State Capitol, Room 432
Juneau, AK 99801-11282

Dear Representative Neuman:

Attached is a report I had prepared for you, Representative Gatto and Senator Huggins addressing concerns regarding the "Economic Impacts and Contributions of Sportfishing in Alaska, 2007" study. This issue first surfaced when presenting the subject material at the public meeting held in Wasilla, January, 2009. It contains all of the questions/comments that were posed during the peer review process that would have or did result in changes to the numbers contained within the first draft report. Also included are explanations of how we responded to each question and the difference in what was reported between the draft and final study reports.

I sincerely hope that you and your colleagues find this information useful in responding to constituent requests regarding the final results of this study. Please do not hesitate to contact me if you have any questions or require additional information.

Sincerely,



Charles O. Swanton
Director, Sport Fish Division

Cc: Representative Gatto, Senator Huggins

**“Economic Impacts and Contributions of Sportfishing in Alaska (2007)”
Consolidated Technical Peer Review Comments for Draft Report**

Prepared for: Alaska State Representatives Mark Neuman and Carl Gatto, and Senator Charlie Huggins

Content: Comments received from three Peer Reviewers that were related to reported estimates (numbers, calculations) within peer review copy of draft report (3 pages). Spelling, grammatical or layout/interpretation comments (the other 15 pages) are not included in this summary.

Summary: The Department of Fish and Game did **NOT** arbitrarily make any changes to estimates provided in the draft report. We did find an error in the equipment expenditure calculations during the peer review phase, but it changed the final estimates (downward) by only 2.3% (\$11.5 million), which changed the total expenditure estimate by 0.8% from original estimates provided by Southwick. We also added several new appendices and important comparisons to other data and discussion of data limitations (which are included in the “Summary & Discussion” section of the technical report). Those are the only changes that occurred between the draft report which was peer reviewed to the final.

Reviewer Comment: The report is full of tables showing estimated totals for spending, contribution and impacts in 2007. Comparable data should be presented in as great or even greater, detail for estimated spending, contribution and impacts per angler day (trip expenditures) and per licensed angler (equipment and real estate).

Contractor Response: Appendix L includes detailed estimates of per day trip and per angler equipment expenditures for each region. A footnote has been added to each report table of average spending in the report.

Reviewer Comment: The report shows a very high estimate of equipment expenditures by resident anglers. This finding needs more discussion, attention, and investigation, in particular given the wide disparity between reported equipment expenditures in the Southcentral region and the other two regions.

Contractor Response: Comparisons with other studies and corroborating estimates show that the estimates are not unreasonable. This is discussed in the “Summary and discussion” section.

Reviewer Comment: A quick review of Table 37 (Detailed spending for sportfishing in Southcentral Alaska, by residency, 2007) shows the following equipment expenditures. I note that vehicles, boats, boat motors, camping trailers, etc. are major components. My instincts would be that there is potential for overestimation of fishing-related equipment expenditures over-attribution of the extent to which such expenditures are attributed to sport-fishing. I am *not* claiming that this happened, or that the expenditures are wrong. I am only suggesting that it is important to check and double-check how these expenditures were derived and to make sure that they are defensible.

Contractor Response: The calculated values have been double-checked resulting in minor revisions (2% total reduction) to equipment spending. The needed revisions were the result

of small errors in the regional allocation of spending, and percentage of equipment attribution to use in sportfishing. A comparison of average spending per angler for boats to total retail boat sales in Alaska per household shows that the study estimate is not excessively high.

Reviewer Comment: In thinking about the high equipment expenditure estimates, particularly for cars and boats, I am concerned about the potential that the results could be biased by a higher response rate from sport-fishing enthusiasts—the type of people more likely to buy and use cars or boats specifically for sport-fishing—than from those who are more occasional anglers. I don't know any way to test for this or adjust for it. But I think it would be good to discuss this issue, and consider whether there is anything from the literature that suggests the potential for such a bias—because if it existed it could have a big impact on the results of the study.

Contractor Response: This is discussed in the "Summary and discussion" as one of the limitations.

Reviewer Comment: PAGE 27, PARAGRAPH ON OUT-OF-BOUNDS CHECKS, LAST SENTENCE. This sentence states that "the resulting maximum values used in the analyses are reported in Appendix I with the detailed mean expenditures estimates." I could not find any such maximum values in Appendix I.

Contractor Response: Summary statistics, including maximum values, for each survey variable are now included in Appendix G.

Reviewer Comment: PAGE 28, FIRST FULL PARAGRAPH. This paragraph implies that if there were two observations that each increased the statewide mean by 20% they would *not* have been eliminated as outliers. I find this a little worrisome. Coming back again to my concern with the potential that the equipment expenditures might be biased, I realize of course that only a fraction of anglers buy cars or boats each year, but that these expenditures are of course quite important in determining the total expenditures attributable to sport fishing. So even if only 2 anglers bought boats, but the expenditures were significant, that is relevant and should be included in the estimation methodology—but unfortunately the margin of error is greater.

For this reason, I think it would be good if the report could include—perhaps in an appendix, some discussion about the number of non-excluded responses that each type of expenditure estimate is based on (and perhaps also the percent of respondents reporting each type of expenditure).

Contractor Response: Appendix G has been added to provide summary statistics (number of non-missing observations, mean response value, minimum response value, maximum response value, standard deviation of the response values) for each survey variable.

Reviewer Comment: PAGE 28 & 29, DISCUSSION OF NON-RESPONSE BIAS. The last sentence says "the testing found no systematic differences." Because the issue of potential non-response bias is an important one for equipment (as I've suggested above) I'd like to see a little bit more discussion in this paragraph about what kind of testing was done at what level and how "no systematic differences" was defined. In particular, to what extent did this testing provide reassurance about my concerns about potential non-response bias for big-ticket items such as cars and boats?

Contractor Response: Details about the statistical testing and the results have been added to this section.

Reviewer Comment: PAGE 36, ALLOCATIONS OF BIG-TICKET EXPENDITURES TO SPORT-FISHING. I think it would be useful—perhaps in the “Discussion” section—to include some discussion of the problem associated with allocation of big ticket items such as cars and boats to sport fishing. Suppose I buy a pickup truck this year, and 45.1% of my driving is for sport-fishing trips. On the one hand, it would be perfectly reasonable to conclude that 45.1% of the expenditure was sport-fishing related. On the other hand, even if I had done no sport-fishing, I might still have bought the truck because I needed it for other things that I do as well (implying an allocation of 0% would also be reasonable as a lower bound). On the third hand, without all the sport fishing, the truck would last longer, so I would perhaps buy a truck only 45% as often (implying that 45% is reasonable). On the fourth hand, without the opportunity to fish, I might not even have chosen to live in Alaska—implying that 100% of my car expenditure is really due to sport fishing.

I think the allocation method used was reasonable and justifiable (except for my concerns about potential non-response bias). But I would like to see some discussion of the issues raised by the allocation-of-expenditures problem.

Contractor Response: A discussion of the long list of potential expenditure scenarios and their interpretation would probably add more confusion than clarity to the results. The allocation procedure used in the study is reasonable and is clearly presented in the report.

Reviewer Comment: Page 28, first full paragraph: With respect to the sentence that reads: “If any single observation increased the statewide mean by 25 percent or more then it was deemed an outlier and replaced by a missing value in order to prevent skewing the average” – what do you mean by “replaced by a missing value”? (e.g., was the observation dropped or was the observation replaced by another number such as the sample mean?)

Contractor Response: This has been clarified and expenditure was removed from the analysis.

Reviewer Comment: Page 28-29, bottom of page 28 and top of page 29: To test for non-response bias, could you also compare your results with other previous studies? **Contractor Response:** Not clear how you could test response bias without detailed survey and response data from another survey – no recent comparable surveys for comparison.

Reviewer Comment: Page 38, first paragraph: To what extent has the recent national real estate boom and bust affected the Alaska real estate market and expenditures?

Contractor Response: The “real estate boom and bust” would pertain to real estate sales – we do not include sales in the analysis. Any AK information about a slowdown in construction and maintenance activity resulting from the national recession may not be applicable to recreational properties.

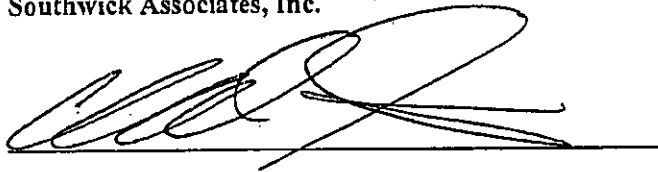
Reviewer Comment: Page 100, first paragraph: It would be helpful to provide some explanation as to why the output, income and employment multipliers for the Cook Inlet subregion are greater than for the State of Alaska as a whole.

Contractor Response: Explanation has been added.

Respectfully submitted this 6th day of April, 2009 by:



**Rob Southwick, President
Southwick Associates, Inc.**



**Charles O. Swanton, Director
Alaska Department of Fish & Game, Sport Fish Division**

Swanton, Charles O (DFG)

From: Rob Southwick [Rob@southwickassociates.com]
Sent: Saturday, January 24, 2009 9:31 AM
To: Swanton, Charles O (DFG)
Subject: RE: Release of peer review/draft documents regarding Economic Impacts and Contributions of Sportfishing in Alaska 2007.

Hello Charlie – I understand that some people somehow think the results of the study were tampered with. I can assure you that in no way was there any pressure to change the results during ANY stage of the project. The study was conducted by a team of qualified experts, including ADFG Sport Fish staff, who met throughout the project to review methods, data and worked to anticipate any potential problems before they arose. All procedures and methods used were chosen to ensure the results were reliable and defensible. Once the first draft was complete, following standard scientific procedure, we circulated the study to outside peer reviewers expert in economic impact analyses of fisheries. Their comments were not major and fully within bounds of normal professional feedback common to such dstudies. We made some adjustments that resulted in minor changes in the results – as is normal. All peer reviewer suggestions were very reasonable and resulted in a stronger, even more defensible study. I can proudly say this is one of the finest, most thorough and comprehensive economic studies we've conducted and that is largely due to the team approach in designing the project and reviewing preliminary results. I never once had the impression anyone tried to influence any team member into lowering the results or changing the methodology in a way that would minimize the outcome. Instead, the focus from all team members was clearly oriented towards developing the best economic study possible. If anyone has any doubts about my comments, they are welcome to call me with any specific questions.

Rob Southwick

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 www.SouthwickAssociates.com
 www.AnglerSurvey.com
 www.HunterSurvey.com

From: Swanton, Charles O (DFG) [mailto:charles.swanton@alaska.gov]
Sent: Friday, January 23, 2009 8:09 PM
To: Rob Southwick
Subject: Release of peer review/draft documents regarding Economic Impacts and Contributions of Sportfishing In Alaska 2007.

Rob: I need some documentation from you to me regarding the subject requests and your position on this issue. I presume this is not the first such request and likely not the last. Several legislators have and are continuing to ask about release of peer review or other drafts in order to assure their constituents that no "manipulation of values" was conducted without due cause. I certainly understand the distain one feels for this sort of specter of doubt but that does not absolve us from at least addressing it.

Unfortunately, this likely will come up sometime next week so a prompt reply would be greatly appreciated. We are still trying to solidify a time for you to present the results to a joint legislative session and will let you know as soon as possible.

Regards,
 Charlie Swanton
 Director, Sport Fish Division

1/24/2009

Amendment Rationale

HB246: Sportfish Guide Licenses

Offered in (H)FISH

By: Representative NEUMAN

- HB246 is currently the technical companion of SB177 which passed the Alaska State Legislature last year and has already been signed into law.
- The passage of SB177 renders HB246 irrelevant without amendment
- The Sponsor made a commitment to the Commissioner of Fish & Game, which was recently reiterated, to amend this legislation to rectify this error .
- The proposed amendment allows HB246 to become a companion to SB294 and therefore viable this legislative session

A

Debra Higgins

From: Melvin Grove [mbgrove@mtaonline.net]
Sent: Monday, March 22, 2010 1:13 AM
To: Rep. Bryce Edgmon; Rep. Wes Keller; Rep. Craig Johnson; Rep. Charisse Millett; Rep. Scott Kawasaki; Rep. Bob Buch; Rep. Mark Neuman; Sen. Charlie Huggins; Sen. Bill Wielechowski; Sen. Lesil McGuire; Sen. Hollis French; Sen. Bert Stedman; Sen. Kevin Meyer; Sen. Tom Wagoner
Cc: Steven Gary; Bill Iverson; Logan Jeff; Quincy Randy; Clark Todd; Seekins Ralph; Yamada Richard; Rod Arno
Subject: SB294 and HB246
Attachments: saltwater_angler_registry_FINAL_press_release.pdf; ATT00001.htm

Dear Legislators,

HB246 and SB294 are both concerning the repeal of the termination of the sport fish guide license requirement. One of the primary justifications for the license according to public testimony from F&G game at the recent HB246 hearing is that it exempts the state from the national fisheries registration requirement for anglers in the state of Alaska. Since every citizen fishing federal waters in our great state must purchase a **state** fishing license and the state conducts a State Wide Harvest Survey (SWHS) it precludes the necessity for the national registry requirement. Since the state requires charters and guides to be licensed and collect data, clients using these service would also be **exempt** from the national registry license requirement. So my question is why are we requiring our saltwater fisherman using a charter to purchase a license and requiring the guide to fund the data collection when funds are being received from each guided fisherman in the form of a state fishing license that funds the SWHS.

According to Mr. Swanton Director of Sport Fish, the \$100 sport fish license fee pays for about \$250,000 of the \$450,000 cost of the logbook program which was less then \$100K in 2004. I'd suggest amending the license requirement to \$200 to fully fund the logbook program and then removing the fishing license requirement for all fisherman utilizing a guided charter service as authorized under the national fishing registry. This would greatly benefit the guided business industry. The average non-resident or resident could forgo the cost of buying a fishing license if they only fish on a charter. This would save them money and promote tourism and charter services during this economic down turn.

Option two would be to continue the guide license requirement at the cost of \$10/year to administer and provide a boat sticker and wallet size card. The logbook program can then be funded from the sport fish licensing requirement currently in place for all charter and guided fisherman.

The attached final rule on the saltwater angler registration requirement clearly states charter clients would be exempt from the licensing requirement. My opposition to these bills has always been to the fact that F&G was double dipping when forcing guides to not only collect but fund data collection which they already receive funding for from the state license requirement. Option two has always been my initial stance but now that the final rule clearly states our clients aren't required to have a national registry license, I believe option one would be a much better action and cost savings to the public. If the state is going to justify the continuation of the excess guide license fee based on the "national fisheries registration exemption", then shouldn't the guides receive the added benefit associated with not requiring their clients to need a fishing license while fishing federal waters?

I'm pretty sure the department will oppose option one and we already know they favor continuing to charge the guides the excess license fee. However what have we seen as a return from our investment other then fewer fish in our rivers, lost jobs, and reduced bag limits all while the commercial industry continues to pilfer our public resource and pay less then half in licensing. I would be more then happy to pay the licensing if we seen

some return for our investment. If the state used our fees to promote sport fishing in Alaska like the state funds the Seafood Institute, maybe this tax would be easier to swallow. In 2008 the state received \$3,908,673 from resident fishing license and \$13,314,952 from non-resident fishing license totaling \$17,223,625. The individual guides supported 446,669 angler days in both fresh and saltwater. At an average cost of \$20/day in license fees it's safe to assume that \$9M and most likely much more is attributed to the service guides provide. What other individual small business in Alaska, as a result of the service they provide, brings this much money directly into the state coffers while utilizing only about 10% of the available resource? I can't think of any and I hope you understand my frustration with the idea that the department feels this \$100 fee is justified as a small price to pay for trying to make a living offering a quality service to the public so they can harvest **their** resource.

Thank you for your time and service.