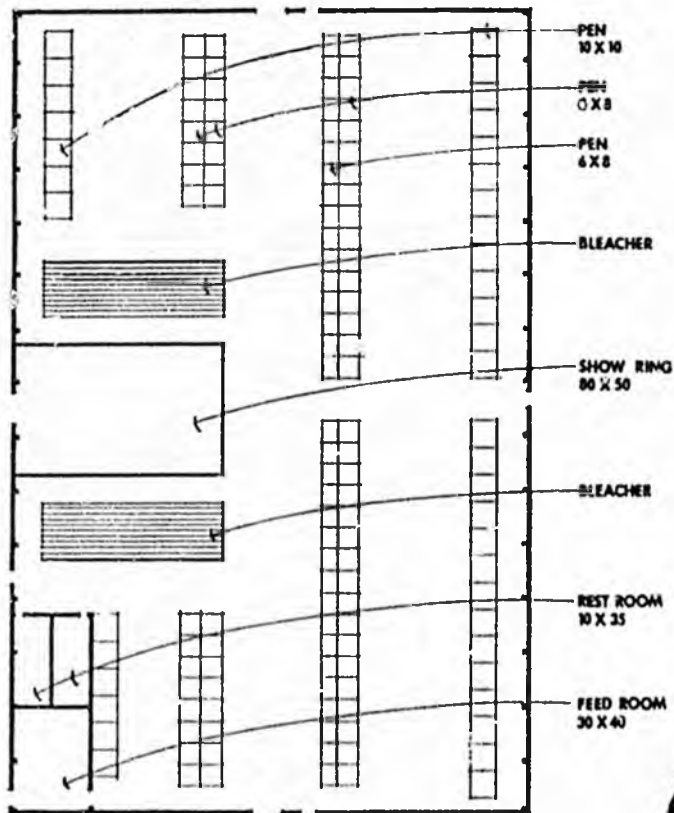


ALASKA LEGISLATURE COMMITTEE FILES 1981-1982

1841 HRES HB 364 - HB 439

1841



FLOOR PLAN
200 x 300

LIVESTOCK
ALASKA STATE FAIR INC
SILBERG & WYCOFF ARCHITECTS



FRONT
ELEVATION

cost for new livestock exhibit hall

added benefits

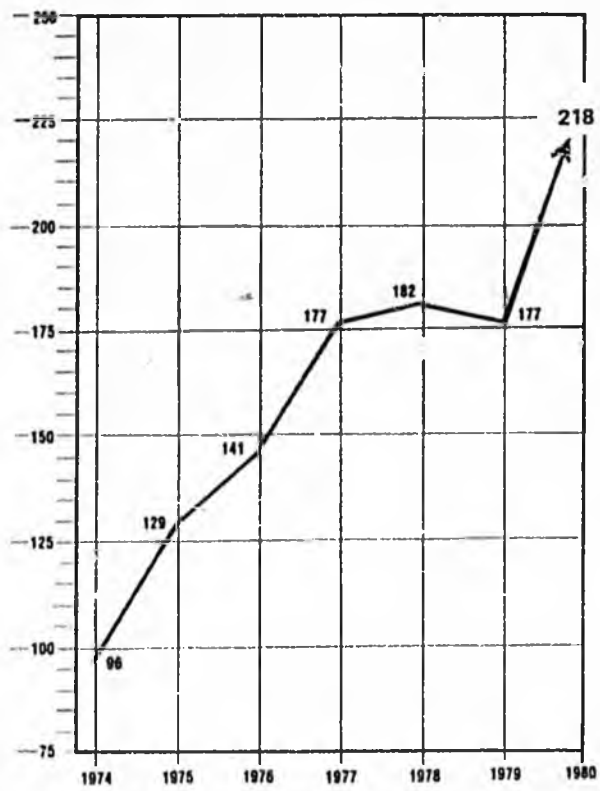
- The construction of a 200' x 300' metal building will incorporate an indoor show ring and a portable stall system which allows the building to expand concurrently with the entries. In researching all costs for this building, we estimate that it could be put into year-round use for \$1,523,600.00. Following is a breakdown of costs for this structure:

Building, frame, erection & insulation at \$11.00 sf	\$660,000.00
Heating, electrical & ventilation systems at \$7.00 sf	420,000.00
Finishing inside to 12' height	7,000.00
Bathrooms	10,000.00
Portable stalls	75,000.00
30 percent contingency & inflation factors	\$351,600.00

- The old livestock building will be remodeled to house the flowers and vegetable exhibits. At the present time the vegetables share a structure with rabbits and poultry. These small animals have also been subject to overcrowded conditions and will benefit from the additional space when it becomes available. In re-locating the flowers and plants from our main exhibit hall, more room will be available for art, photography, ceramics, clothing, baked goods, canning, weaving and pottery exhibits. The livestock building in its present location creates a continuous traffic problem, as the animals are brought across the main walkway to the show ring. In relocating this exhibit, the problem will be alleviated.

From its inception the Fair has been an integral part of the community. As the community's interests and needs have grown, the Fair has endeavored to keep pace with this growth. By constructing a new facility which can be utilized throughout the year for livestock auctions, horse shows, rodeos, and possible high school construction classes, the community as a whole will benefit, while enabling the Fair to fulfill its prime function as an agricultural exhibition.

CONCESSIONAIRE RENTAL TREND



COMMERCIAL EXHIBIT SPACE

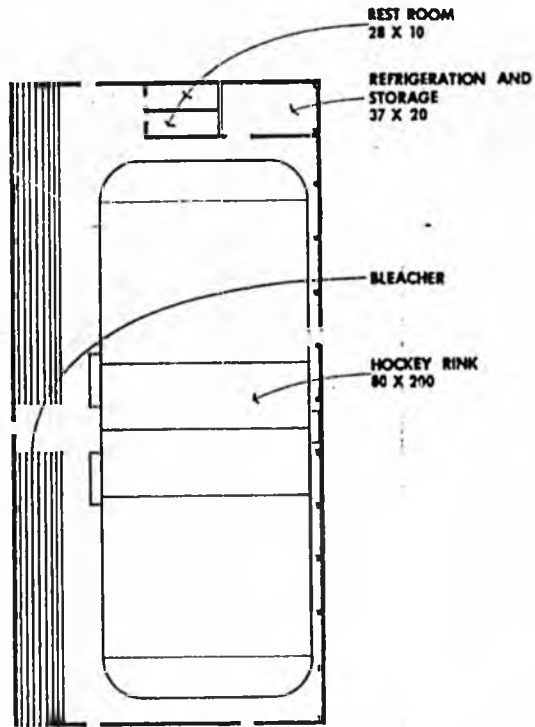
income from
commercial
exhibits
vs.
admission fee to the
public

The tremendous growth in attendance and exhibits has awakened the state's industries and businesses to the benefits of presenting their products to this expanding audience. Last year's Fair showed 121 percent increase in commercial participation since August 1974. Of the total number of 1980 concessionaires, 67 percent were from Anchorage, Eagle River and Chugiak, 19 percent from the Matanuska Valley, 9 percent were headquartered elsewhere in the state, and 5 percent traveled from the Lower 48 to participate in this event.

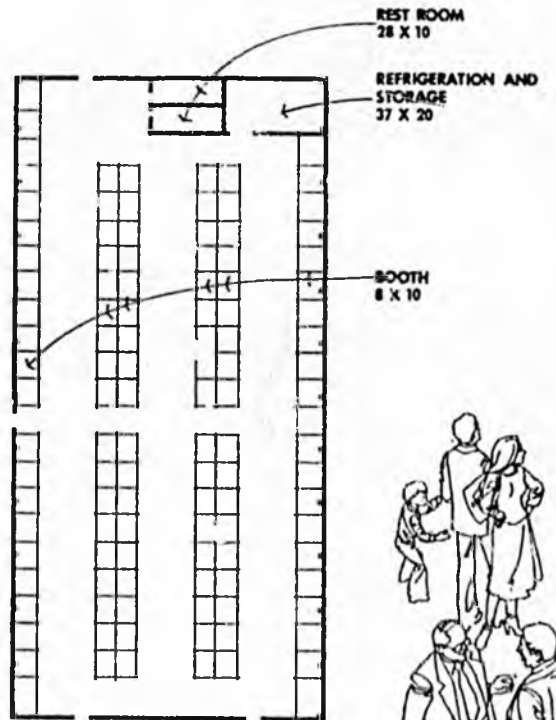
- In the preceding seven years, the basic operating costs for the State Fair have risen dramatically. In an effort to keep pace with these rising costs, our concessionaire rental fees increased 150 percent, enabling us to hold down admission costs to the 1977 rate of \$4.00 for adults, with those 12 and under, and 60 and over, admitted free of charge.

The loss of our indoor concession space is reflected in the reduction of our operating income when the old commercial building was converted to a Fair exhibit area. The 1980 Fair hosted the largest number of concessionaires in our history. Many commercial exhibitors have products which require protection from the elements and must be housed indoors.

The gate admissions and concessionaire rentals are our primary sources of revenue. We feel that in order to make the Fair accessible to everyone, particularly to enable families to attend, it is imperative to maintain a reasonable admission price. This leaves the commercial exhibitors as a vital source of needed revenue. A 120' x 240' building utilized during the Fair as a commercial exhibit space would generate \$46,000 at 1981 rates. A building of these dimensions would cost \$1,277,120 and is figured as follows:

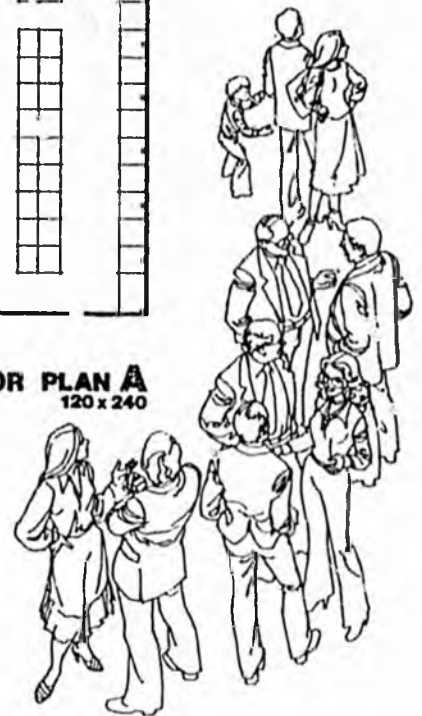
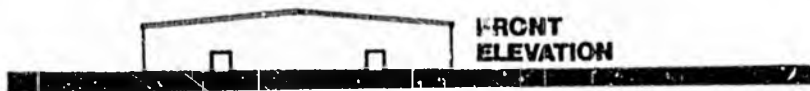


FLOOR PLAN B
120 x 240



FLOOR PLAN A
120 x 240

EXHIBITION
ALASKA STATE FAIR INC
SELBERG & WYCOFF ARCHITECTS



cost for new commercial exhibit building

added benefits

Alaska State Fair Finances

- Building frame, erection & insulation at \$11.00 sf \$316,800.00
Slab & footing at \$5.00 sf 144,000.00
Heating, electrical & ventilation system at \$12.00 sf 345,600.00
Finishing inside to 12' height 6,000.00
Bathrooms 10,000.00
Hockey Rink Installation 160,000.00
30 percent contingency & inflation factors 294,720.00

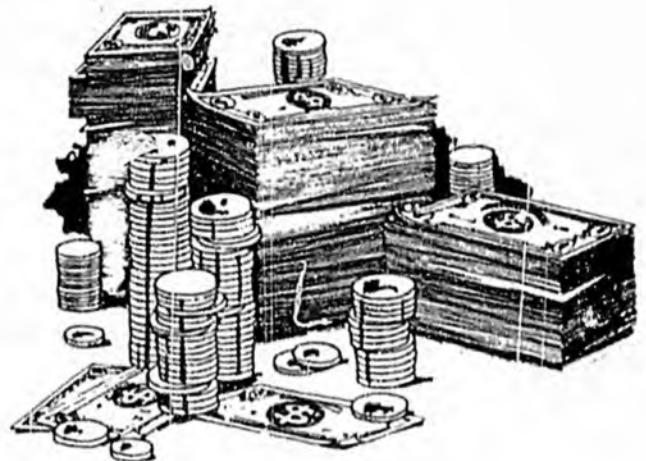
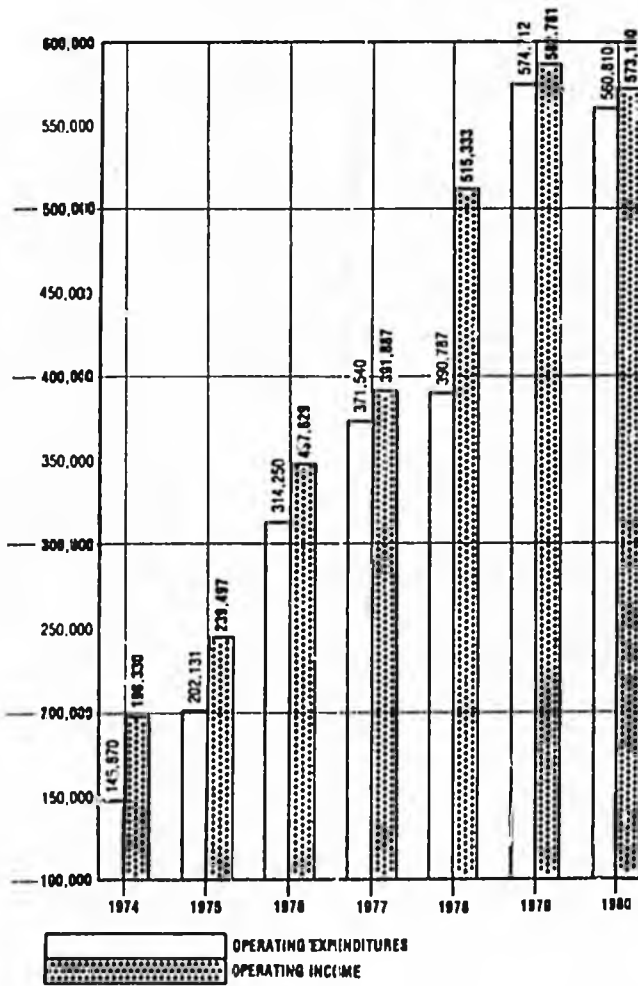
- This same building would incorporate an ice rink usable by several area hockey teams, figure skaters and the public in general. The remaining months of the year it will be available for community functions.

-
- In the seven years that the present management team has directed the Alaska State Fair, income has risen a healthy 189 percent. During the same span of time however, operating expenditures have risen 282 percent. This increase is due to three primary factors: the inflation rate, the need for increased personnel, and an expansion of services to the public.

The necessary capital expenditures that have accompanied this phenomenal growth have recently included the upgrading of the water and sewer systems, funded primarily through a 1979 State Grant, and the electrical project, currently in progress, funded by the 1980 Legislature.

The Alaska State Fair has demonstrated its ability to utilize funds conservatively and provide a consistent, high quality, wholesome family environment. The three previously outlined projects will not only be completed in the same fiscally responsible manner, but will greatly enhance the fairgrounds, keep pace with projected growth, and aid the Fair in its goal of continuing to produce the largest show of human and agricultural resources in the State of Alaska.

OPERATING INCOME & EXPENDITURES



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A PROPOSAL FOR
THE BETHEL SCIENTIFIC/EDUCATIONAL
HATCHERY PROGRAM

The Lower Yukon Kuskokwim Aquaculture Association (previously AVCP Fisheries Development Corporation) has been operating the Bethel Scientific/Educational Hatchery Program for three years under state contracts #3852 (FY'78), #79-316 (FY'79), and #80-957 (FY'80).

The programs main objective is to promote fisheries education, specifically aquaculture and fisheries enhancement as a resource tool in the Lower Yukon Kuskokwim region. As the sixth Regional Aquaculture Association to be recognized by the state of Alaska under AS 16.10.380, we must recognize that as the largest of the six regions and the most dependent per capita on the fisheries resource, there exists no means by which a local person can get an education of what amounts to the single most valuable resource in the entire region. Without fisheries education how can we get our local people into management, research, or aquaculture positions?

There are many complex fisheries problems in this area which stem from the lack of available knowledge of basic fisheries biology, management principles and fundamental marketing concepts. In the past the people of this region did not have the means to substantially jeopardize their fisheries resource. They had to harvest as many fish as possible just to get by. In a relatively short amount of time their culture has been turned upside down and they are forced without option to the modern day world which is so completely based on a cash flow economy. With the added "advantages" of modern technology (ease of transportation, better harvest gear etc) they are for the first time in a position where their resources must be carefully managed to insure future generations the availability of the fisheries resource.

Before a respectful and significant input into fisheries issues can exist within this region there must first be developed an awareness and understanding not only of the resource itself but of the changing times and probable impacts on the region.

With fisheries education being so desperately needed in our region, we feel that our Scientific/Educational Hatchery in Bethel can play a key role in the educational development of this vital resource. We have been plugging away at fisheries education for three years now and feel that we are on the verge of a breakthrough. We have written up two fisheries courses for the Vocational Education Department at the Lower Kuskokwim School District which they are using in the reorganization of the Vocational Education Department and one for the college. We worked with the Alaska Native Foundation in obtaining a grant from the Department of Education for the "Foxfire" fisheries program. We have been and will continue to work with this

program (Lynne Hale, Fisheries Specialist, ANF). The High School Fisheries class which we helped get started has been holding field trip classes on a once a week basis which is where the main value of this program is best demonstrated. Its one thing to teach the students about fisheries from books and the teachers knowledge, yet quite another when those students can work directly with the life cycle of salmon right near their classroom.

Aquaculture has a very real and significant potential in this region. We do not however want to shove it down peoples throats before they have even had the chance of being educated in fisheries.

We have a man lined up named James Akaran (resume enclosed) who is interested in the Regional Biologist position that would assume the primary role in this project. Our fisheries Technician III, John David, has already proven his worth and has been a major asset to this Scientific/Educational Hatchery.

One of the main objectives of this project will be to get the college and the high school to actually "take over" the hatchery project next year along with full commitments to fisheries education. We have been butting our heads with the college over fisheries with the argument that educational institutions most especially a "community college" are obligated to fulfill the most relevant needs of the populous they serve on a priority basis. We strongly contend that fisheries is a number one priority in this region.

The future economic and subsistence security of this area depends not on this project alone but on the end product of this and other projects. If funded we will continue to work with other agencies and the people of this region not only to show what staggering potential the fisheries resource has here, but to insure that they establish and maintain complete control of the development of such a fragile resource. The exploited fisheries elsewhere in the state and indeed the world give startling evidence of the so typical pattern of the almighty dollar overshadowing responsible management of a resource. This region is fortunate enough to have the chance to be different.

PROPOSED BUDGET
BETHEL SCIENTIFIC/EDUCATIONAL
HATCHERY

PAYROLL

\$74,950.00

Executive Director	10 months	@ \$1,675/per=	\$16,750.00
Regional Biologist	12 months	@ \$2,600/per=	\$31,200.00
Fisheries Tech III	10 months	@ \$2,000/per=	\$20,000.00
Office Mgn (1/2 time)	10 months	@ \$ 700/per=	\$ 7,000.00

OFFICE SUPPLIES & EQUIPMENT

\$ 2,000.00

TRAVEL & PERDIEM

\$ 7,000.00

Air Charter (egg takes, etc)	\$ 5,000.00
Staff Travel & Perdiem	\$ 1,000.00
Administrative Travel & Perdiem	\$ 1,000.00

RENT & UTILITIES

\$ 9,000.00

Electricity	@ \$350/month x12=	\$ 5,000.00
Fuel	@ \$100/month x12=	\$ 1,200.00
Rent (lease)	@ \$300/month x12=	\$ 3,600.00

CONSULTANT FEES

\$ 2,000.00

PRINTING

\$ 263.00

TELEPHONE & POSTAGE

\$ 1,460.00

Telephone	@ \$80/month x12=	\$ 960.00
Postage & Freight	@ \$50/month x10=	\$ 500.00

AMOUNT DUE CALISTA LOAN

\$18,327.00

TOTAL FUNDING REQUESTED

\$115,000.00

This project would include three principle hatchery or enhancement site evaluations. The project would result in a preliminary hatchery application for each of the three areas. The areas to be investigated are:

A. Proposed Kisaralik Dam Site

The investigating team will analyze the physical data of the Kisaralik River along with the proposed plans for the hydroelectric site. The team will submit a preliminary hatchery proposal at the end of the project addressing the following issues:

1. Possible incorporation of a hatchery into hydro project.
2. Probable mandatory inclusion of a highly effective fish pass system.
3. Legal considerations
4. Resident species affected by hydro project and projected impacts.
5. Spawning criteria
6. Water quality (existing and projected)
7. Temperature (effects on fish)
8. Sedimentation
9. Effects on migrational movement.
10. Special considerations for project site and individual species of fish.

This investigation would be of a preliminary nature and aside from a hatchery site proposal it would include in the final report of findings and recommendations, a detailed outline of special conditions which need to be addressed if and when the hydroelectric project is initiated.

B. Nyac Mine

We have been discussing the possibility of a hatchery project near Nyac on the Tuluksak River with Mike Scott of the U.S. Bureau of Land Management (Anchorage Regional Office) and Nyac Mine owner/operator (Clark Awe. Because of the interest and help we could get from the Bureau and preliminary data already reviewed, we feel that the investigating team will have no problem in securing the necessary on site criteria for a preliminary hatchery site application.

C. Goodnews Bay

The Goodnews Bay area has some very promising site locations which should be looked into. The investigating team will perform on site research to determine the best locations for a hatchery or enhancement site in the area. The Lower Kuskokwim School District has one of its best Fisheries Vocational Education programs in Goodnews Bay. The students could be incorporated into the evaluation program with the extra advantage of follow up studies by resident students should the preliminary application be accepted by the state and a final application initiated. A set of standards of selection criteria for hatcheries and enhancement projects will be supplied on request.

PROPOSED BUDGET
LOWER YUKON/KUSKOKWIM
HATCHERY INVESTIGATION

<u>PAYROLL</u>		\$30,000.00
Fisheries Biologist 6 months @ \$3,000.00/per=	\$18,000.00	
Fisheries Technition III 6 months @ \$2,000.00/per=	\$12,000.00	
<u>OFFICE SUPPLIES & EQUIPMENT</u>		\$ 6,500.00
Analytical Field Equipment	\$ 6,500.00	
<u>TRAVEL & PERDIEM</u>		\$11,800.00
Air Charter 70 hours @ \$140/per=	\$ 9,800.00	
Boat Charter or Rental	\$ 2,000.00	
<u>CONSULTANT FEES</u>		\$ 2,300.00
Lab Work	\$ 500.00	
Accounting & Secretarial Expenses	\$ 1,800.00	
<hr/>		
TOTAL FUNDING REQUESTED		\$50,600.00

H B

392

STATE OF ALASKA

DEPARTMENT OF REVENUE

OFFICE OF THE COMMISSIONER

JAY S. HAMMOND, GOVERNOR

POUCH 5
JUNEAU, ALASKA 99811

April 17, 1981

The Honorable Fred F. Zharoff
The Honorable Terry Gardiner
Co-Chairmen
House Resources Committee
Room 118 - Capitol Building
Juneau, Alaska


Dear Mr. Zharoff and Mr. Gardiner:

Re: House Bill No. 392

House Bill No. 392, an Act providing for free resident hunting and sport fishing licenses for disabled veterans, was introduced in the House on March 25, 1981 and was referred to the House Resources and Finance Committees.

For the consideration of the House Resources Committee, I am enclosing copies of Fiscal Notes prepared by Linda Gene Lockridge, Supervisor, Fish and Game Licensing Section, Department of Revenue concerning the proposed legislation.

Sincerely,


R. D. Stevenson
Special Assistant

RDS/rdh

cc: The Honorable Samuel R. Cotten
Chairman
House Finance Committee

Joseph K. Donohue
Deputy Commissioner
Department of Revenue

Linda Gene Lockridge, Supervisor
Fish and Game Licensing Section
Department of Revenue

THE LEGISLATURE OF THE STATE OF ALASKA
TWELFTH LEGISLATURE

FISCAL NOTE

I. REQUEST

Bill/Resolution No. House Bill No 392

Title An act providing for free resident hunting & sport fishing licenses for disabled vets

Requested by Beirne Date 4/1/81

II. FISCAL DETAIL

Agency Affected Revenue

Program Category Affected Revenue Collection & Management

BRU, Program, or Subprogram(s) Affected Administration & Support

(Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)

EXPENDITURES (Thousands of Dollars)

	FY 81	FY 82	FY 83	FY 84	FY 85	FY 86
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL						

FUNDING (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER (Specify Fund Source)						
Sport Fish Mgt. Fund	0	(2.6)	(2.8)	(3.1)	(3.4)	(3.8)
Game Mgt. Fund	0	(3.1)	(3.4)	(3.8)	(4.1)	(4.5)

POSITIONS

FULL TIME						
PART TIME						
TEMPORARY						

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

The revenue loss is assumed to be 260 licenses at \$22 each.

IV. DATE April 3, 1981

PREPARED BY Linda Gene Lockridge

AGENCY Revenue

PHONE 465-2376

Original: Legislative Finance

cc: Budget and Management

Prime Sponsor (First Legislator Named)

THE LEGISLATURE OF THE STATE OF ALASKA
TWELFTH LEGISLATURE

FISCAL NOTE

I. REQUEST

Bill/Resolution No. _____ House Bill No. 392
Title an act providing for free resident hunting & sport fishing licenses for disabled vets
Requested by Beirne Date 4/1/81

II. FISCAL DETAIL

Agency Affected _____ Revenue _____
Program Category Affected _____ Revenue Collection & Management _____
BRU, Program, or Subprogram(s) Affected _____ Administration & Support _____
(Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)
EXPENDITURES (Thousands of Dollars)

	FY 81	FY 82	FY 83	FY 84	FY 85	FY 86
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL	0	1.	1.	1.	1.	1.
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL	0	1	1	1.	1.	1.

FUNDING (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER (Specify Fund Source)						

POSITIONS

FULL TIME						
PART TIME						
TEMPORARY						

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

The U.S. Veterans Administration reports 515 veterans who meet the "no charge" conditions of HB 392. We have assumed that 260 veterans would apply for the "no charge" license. Administrative cost in issuing these licenses is \$1,000.

We recommend the effective date of the bill be January 1, 1982, which begins the next license year.

Linda Gene Lockridge

IV. DATE April 3, 1981 PREPARED BY Linda Gene Lockridge
AGENCY Revenue
PHONE 465-2376
Original: Legislative Finance
cc: Budget and Management
Prime Sponsor (First Legislator Named)

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THE FOLLOWING DOCUMENT(S) MAY NOT FILM
LEGIBLY BECAUSE OF POOR QUALITY OF THE
ORIGINAL.

AGRICULTURAL REVOLVING LOAN FUND STATUS 3/20/81

	<u>MATANUSKA AREA</u>	<u>TANANA AREA</u>	<u>KENAI AREA</u>	<u>OTHER AREAS</u>	<u>TOTAL</u>
LOANS OUTSTANDING	7,733,304	12,133,139	1,142,377	790,392	<u>21,718,212</u>
Types:					
Short term					2,857,419
Chattel					7,365,783
Farm Development					8,364,618
Irrigation					310,391
Production Facility					<u>2,820,000</u>

LOANS IN PROCESS (Funds vouchered; loans not closed):

Short-term	46,000	47,000			93,000
Chattel		68,500			68,500
Farm Development	192,081	15,650	15,000		222,731
Irrigation					
Production Facility	<u>36,000</u>	<u>250,000</u>			<u>286,000</u>
Totals	274,081	381,150	15,000		<u>670,231</u>

Total Loans Outstanding and vouchered funds:

22,388,443

LOAN BALANCES TO BE ISSUED (not vouchered):

Short-term					73,000
Chattel	73,000				73,000
Farm Development	515,454	44,000	126,715		722,169
Irrigation					
Production Facility	<u>874,000</u>	<u>417,000</u>			<u>1,291,000</u>
Totals	1,498,454	461,000	126,715		<u>2,086,169</u>

AGRICULTURAL REVOLVING LOAN FUND STATUS 3/20/81 (continued)

	<u>MATAHIKA AREA</u>	<u>TANARA AREA</u>	<u>KENAI AREA</u>	<u>OTHER AREAS</u>	<u>TOTAL</u>
LOANS APPROVED:					
Short-term	248,000	851,450	10,000		1,109,450
Cattle	50,000	579,417			633,417
Farm Development	40,000	116,100			156,100
Irrigation		15,000			15,000
Production Facility					
	<u>342,000</u>	<u>1,567,967</u>	<u>10,000</u>	<u> </u>	<u>1,913,967</u>

LOAN REQUESTS NEEDING FURTHER INFORMATION:

Various types of loans	2,214,390	3,363,054	74,000	265,000	<u>4,416,444</u>
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Cash with Treasury and In Transit after latest transmittal and latest vouchers: 29,137.

Total anticipated immediate needs:

Balances of existing loans not disbursed	2,086,169
Loans approved	1,913,967
Loan Requests received, require additional information	4,416,444
	<u>8,416,520</u>

Additional anticipated seed and fertilizer requirements for 1981 crop year
- applications not received by 3/19/81

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LEGIBLY BECAUSE OF POOR QUALITY OF THE
ORIGINAL.

(2) pays the outstanding principal balance for the remaining term of the loan at the prevailing rate of interest which is charged by commercial banks in the state during the calendar quarter in which the department receives notice of the change of use, sale, lease or other disposal of the farm land.

(b) In this section, "non-farm use" means a use of land other than for the production of domesticated plants and animals useful to man, including forage and sod crops, grain and feed crops, fruits, vegetables and livestock. (§ 5 ch 50 SLA 1979)

Editor's note. — Section 7, ch. 50, SLA 1979 provides: "The provisions of AS 03.10.030(e) enacted in sec. 1 of this Act and AS 03.10.035 enacted in sec. 5 of this Act applied to farm development, chattel, and irrigation system loans made after July 1, 1979."

Sec. 03.10.040. Creation of fund. There is an agricultural revolving loan fund which shall not exceed \$20,000,000 to carry out the purpose of this chapter. (§ 5 ch 122 SLA 1953; am § 2 ch 41 SLA 1961; am § 1 ch 81 SLA 1970; am § 6 ch 50 SLA 1979)

Effect of amendment. — The 1979 amendment substituted "\$20,000,000" for "\$5,000,000."

Sec. 03.10.050. Administration of fund. (a) The commissioner shall administer the loan fund in conjunction with the agricultural revolving loan fund board. No loan in excess of \$25,000 may be made by the commissioner without the approval of a majority of the board.

(b) The board is composed of five members appointed by the governor and confirmed by the legislature in joint session. Three members shall be persons with background and experience in Alaska agriculture. Members of the board serve for overlapping three-year terms. Members of the board are not entitled to receive compensation for their services, but shall receive the same travel pay and per diem as provided by law for boards and commissions. (§ 6 ch 122 SLA 1953; am § 1 ch 119 SLA 1976)

Effect of amendment. — The 1976 amendment rewrote this section.

Sec. 03.10.054. Sale or transfer of mortgages and notes.

Repealed by § 14 ch 122 SLA 1980.

Editor's note. — The repealed section derived from § 1, ch. 4, SLA 1964.

...ceding six per cent. It shall be secured by a real estate or chattel mortgage, or both. Loans and the real estate and chattel mortgage security on them for irrigation systems may be in amounts and on terms as determined by the commissioner.

(c) A short term loan, to be amortized within one year, not to exceed \$15,000 to any one borrower may be made for emergency purposes.

(d) Farm development and chattel loans for irrigation systems may be for terms as determined by the commissioner. (§ 4 ch 122 SLA 1953; am § 1 ch 156 SLA 1955; am § 1 ch 41 SLA 1961; am § 1 ch 144 SLA 1966; am § 1 ch 78 SLA 1967; am § 1 ch 135 SLA 1970)

Legislative committee report.—For report on ch. 78, SLA 1967 (HB 274), see 1967 Senate Journal, pp. 513-514.

Sec. 03.10.040. Creation of fund. There is an agricultural revolving loan fund which shall not exceed \$5,000,000 to carry out the purpose of this chapter. (§ 5 ch 122 SLA 1953; am § 2 ch 41 SLA 1961; am § 1 ch 81 SLA 1970)

Sec. 03.10.050. Administration of fund. The commissioner shall administer the loan fund. (§ 6 ch 122 SLA 1953)

Sec. 03.10.054. Sale or transfer of mortgages and notes. The commissioner may sell or transfer at par value or at a premium or discount to the Department of Revenue or a bank or other private purchaser for cash or other consideration the mortgages and notes held by the Department of Natural Resources as security for loans made under this chapter. (§ 1 ch 4 SLA 1964)

Sec. 03.10.060. Short title. This chapter may be cited as the Alaska Agricultural Loan Act. (§ 1 ch 122 SLA 1953)

Chapter 15. Agriculture Pest and Disease Control Fund.

Section
[Repealed]

Section
20. Purpose of appropriations

Sec. 03.15.010. Agriculture pest and disease control fund.

Repealed by § 2 ch 34 SLA 1968.

Editor's note. — The repealed section derived from § 1, ch. 90, SLA 1951.

Sec. 03.15.020. Purpose of appropriations. Appropriations available to the department may be used

(1) to buy materials or equipment needed to control agricultural pests when the persons directly affected cannot bear the

Alcoholic Beverages
Title 4

Amusements and Sports
Title 5

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COMMITTEE REPORT

HOUSE

FURTHER:

3/25/81

(11)

Date: March 19, 1982

Mr. Speaker:

The Committee on RESOURCES has had HB 400

"An Act relating to the maximum length of salmon seine vessels; and providing for an effective date."

under consideration and reports it back as follows:

[] do pass [] do not pass

[] do pass with attached amendment(s)

[] replace with CS for HB 400 (RESOURCES) [] same title [] new title

and recommends _____

[] AND attaches a "Letter of Inter." [] New Fiscal Note

[] reports it back without ^{individual} ~~out~~ recommendation

[] referred to the _____ Committee

MEMBERS SIGNING
DO PASS

[Signature]
[Signature]
[Signature]
[Signature]

MEMBERS HAVING
OTHER RECOMMENDATIONS:

[Signature] NO REC
[Signature]

[Signature]
CHAIRMAN

HUBERT G. McCALLUM
BOX 2, SAND POINT, ALASKA 99661

February 22, 1982

Representative Eric Sutcliffe
House of Representatives
Pouch V (MS 3100)
Juneau, Alaska 99811

Dear Mr. Sutcliffe:

It has been brought to my attention that a certain group of fishermen in Alaska would like to have the 58 foot salmon purse seine vessel limit repealed.

The retention of the 58' limit is of crucial economic importance to fishermen in the Sand Point Community for the following reasons:

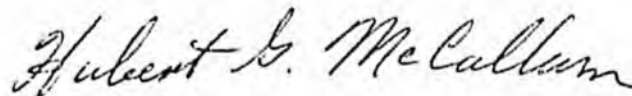
First, the 58' limit seiner law was enacted in the interest of conservation. This interest remains valid today.

Second, our present investments are in 58' limit seiners. We would be forced by competition to invest in a larger vessel, which, in turn, would not be compatible with the present purse seine length of 250 fathoms, thus creating a need for a larger and more expensive purse seine.

The Sand Point Advisory Committee voted unanimously to retain the 50 foot keel, or registered length; or 58 foot over-all length.

We would greatly appreciate your assistance in presenting our point of view on this matter.

Respectfully submitted,



Hubert G. McCallum, Member
Sand Point AD&G Advisory Committee

February 19, 1982

Honorable Eric Sutcliffe
Chairman, House Resources Committee
Alaska State Legislature
Pouch V
Juneau, Alaska 99811

Dear Eric:

The members of our association are very concerned about House Bill 400, the bill repealing the limit on 58 foot seiners.

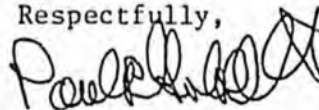
The points we would like to make are:

1. The fishery fleet presently has a tendency to be overcapitalized, repealing the 58 foot limit would only amplify that. Instead of income going to the communities, a lot more would be diverted to lending institutions for interest and principal payments;
2. All the salmon can be harvested by the 58 foot size and small^{er} boats;
3. The only other viable second^{ary} fisheries are crab - overcrowded already; shrimp - resource depleted; halibut - tremendously overcrowded;
4. Fear of the king crab fleet buying permits en masse and fishing their boats as catcher processors;
5. The boat harbors in the state are primarily designed for 58 foot and smaller vessels and are already overcrowded;
6. The only area pushing for repeal is Southeast Alaska where less than 50% of the seiners are privately owned, whereas virtually all seiners in the rest of the state are privately owned;
7. A large value loss per vessel will be realized on 56 foot boats (\$100,000-\$200,000 est.).

We would like to see the 58 foot limit left on Title 16, and no authority be given the Board to repeal the law on an area by area basis which would in effect give the whole state a de facto repeal of the 58 foot limit.

We are unanimously and adamantly opposed to the repeal of the 58 foot limit.

Respectfully,



Paul Gronholdt
President
Peninsula Marketing Association

713 400

January 14, 1982

John Oaksmith
716 Totem Way
Ketchikan, Alaska 99901

The Honorable Eric G. Sutcliffe
Alaska State House of Representatives
Pouch "V", State Capitol Building
Juneau, Alaska 99811

RE: Alaska 58' Seine Vessel Size Limit

Dear Eric:

As you sort through the vast amount of bills I am sure that you will have, I'm positive that you will run across some sort of bill that will ask for the repeal of the 58' size that Alaska seiners have at the present time.

The original law was passed in the thirtys so the California, Oregon and Washington state fleets could not participate in the Alaskan seine fishery.

Some of my thoughts on why the law should be changed are:

1. We now have Limited Entry to "protect" the Alaskan fishermen from the outside fleet.
2. Some of the 58' Limit boats coming out of the yards in recent times are becoming alarmingly more topheavy. The owners are putting more equipment topsides because they don't have the room for the gear necessary for mutliple fisheries.

A vessel here in SE, the "JOHNNIE A", is a 58' (49.9' on the keel) combination vessel that is as wide as a 108' Marco boat. There is a large Jacobsen Brothers crane instead of a boom and it is used for crabbing as well as seining. The boat cost was around \$1.3 million and looks like "4 pounds of ___ in a ? pound bag". Icing down in the winter could be a real problem in the winter time, not necessarily for the present owner, but to a skipper or if he sold the vessel.


3. Most boats in the fisheries in Alaska are having to be used as multi-purpose vessels with inflation and interest costs on the rise. The seiners are starting to use their vessels for dragging and crabing more and more. Being from Dutch Harbor/Unalaska, I don't have to tell you how unstable most "converted" vessels are in the crab industry and the same is basically true for the drag fishing industry. The 58' Limit boats are still being designed for the inside waters and for use during the summer months. If a larger

size were to be used (or could be used), a seiner could safely fish his vessel on the outside during the winter months and therefore, supplement his fishing income as well as develop a small size offshore bottom fishery.

I really believe that down the line, some lives could be saved by a change in this law. The main arguments that I hear at the present time against the repeal is from the present owners of 58' Limit boats. They just don't want it to happen. Sometimes, I feel as if I can see some of their points, but it just comes down to the fact that "change is bad". I don't believe that is true. The entire fishing community as a whole would benefit from a change to a larger size as well as the development of a small bottom fishery. The Fish and Game Advisory Board has stated for the past six or seven years that it is up to the Legislature to change the law every time the resolution has been brought before them. A size I feel that would be fair and still large enough to meet the requirements would be 70' to 75' in length. This would also leave more room below decks for refrigeration equipment and properly insulated holds.

Should you have any questions regarding this, please let me know. I hope you are successful in the coming session in accomplishing what you want to do. It was very enjoyable to see you and Kathy when I was in Juneau last week. If I can be of any personal help to you, please don't hesitate to let me know. Thanks.

Best regards,


John Oaksmith

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BILL ANALYSIS

Department Public Safety		Sponsor (Principal) Hurlbert, Zharoff & Grussendorf		Bill Number HB 409
Department Position Support with amendment.				
Division Director Colonel Robert J. Stickles		Date 2/22/81	Commissioner William R. Nix	Date 2-25-82

Comments:

Position Noted By _____ Date _____

SUMMARY

1. a) Related Bills (Similar or Conflicting) SB 302 HB 199	1. b) Other Agencies Affected by Bill Unknown
2. a) Organizational Support for Bill Unknown	2. b) Organizational Opposition to Bill Unknown

3. Program Effects of Bill
 Would require non-residents to have a guide or be guided by a relative for specific species. Would require non-resident aliens to have a guide or be guided by a resident for specific species.

4. Fiscal Impact: None Fiscal Note Attached

5. Amendments Proposed:
 Amend HB 409 by adding black bear, (including the cinnamon and blue color phases) deer and mountain goat to the following: AS 16.05.407(d) line 24 or 25; Amend HB 409 by adding Class A guide to the following: AS 16.05.407(a) line 18 or 19; AS 16.05.407(d), line 26 or 27.

6. Comments:
 The above amendments are offered to clean up the bill in perceived enforcement problem areas. Under 16.05.407(a) and (d), non-residents or non-resident alien hunters would be required to have a guide's services to hunt or pursue the big game species mentioned under these specific sections. Without the inclusion of Class A guides there would be a legal question as to whether a non-resident or non-resident alien could legally hunt with a Class A guide under this bill.

Big game species requiring a guide for non-resident aliens should also include black bear (including the cinnamon and blue color phases), deer and mountain goat under 16.05.407(d) of this bill.

(Continued)

HB 409 Bill Analysis
2/22/82

Large numbers of German, Swedish and Belgium non-resident alien hunters are being placed in camps in areas such as Prince William Sound, the Brooks Range and the Alaska Peninsula by booking agents for the specific purpose of hunting black bear and other species that presently do not require a guide. This places the unsupervised alien hunter in habitat of other big game species covered under HB 409. Inclusion of black bear, deer and mountain goats under this bill would be advantageous to the Division of Fish and Wildlife Protection from an enforcement standpoint.

FISCAL NOTE

I. REQUEST
 Bill/Resolution No. HB 409
 Title An Act Relating to Guiding and Providing and Effective Date
 Requested by Hurlbert, Zharoff and Grussendorf Date 2/19/82

II. FISCAL DETAIL
 Agency Affected Department of Public Safety
 Program Category Affected NNRMEC
 BRU, Program, Or Subprogram(s) Affected Fish & Wildlife Protection
 (Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)

EXPENDITURES (Thousands of Dollars)

	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL	0	0	0	0	0	0

FUNDING (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER (Specify Source)						
	0	0	0	0	0	0

POSITIONS

FULL TIME						
PART TIME						
TEMPORARY	0	0	0	0	0	0

III. ANALYSIS (See Fiscal Note Preparation Instruction, Section III)

IV. DATE 2/19/82 PREPARED BY Colonel Robert J. Stickles
 AGENCY Department of Public Safety
 Original: Legislative Finance PHONE 269-5532
 cc: Budget and Management
 Prime Sponsor (First Legislator Named) *(Signature)*
 33-001 (Rev. 12/81)

YASKA



District Court

State of Alaska

JUNEAU COURT and OFFICE BUILDING

POUCH U

JUNEAU, ALASKA

99811

CHAMBERS OF
GERALDO O. WILLIAMS, JUDGE

February 4, 1982

Resources Committee
Alaska State Legislature
Juneau, Alaska

In re: AS 16.05.180 "Intent to Search"

Gentlemen:

Colonel Tetzlaff indicated to me that your Committee has expressed some interest in the above section, it's history, and it's present impact and effect upon Fish and Wildlife Enforcement operations. I am please to provide the following information.

I am familiar with the statute when it was originally drafted by the Legislative Affairs Agency in 1959 as a part of the basic legislative program for the re-organization of the State Government programs following Statehood. As a Staff Officer of the Department of Territorial Police at the time, I worked with the Legislative Affairs Agency in the original drafting of the Fish and Game Law Enforcement Provisions.

It was the intent of the Legislative Affairs Agency to draft a statutory authority which would provide a basic legal framework for wildlife law enforcement which was at least analagous to the statutory authority provided to the U.S. Fish and Wildlife Service which provided these services before Statehood. The USD&WS had broad powers in conducting searches and seizures incidental to woldlife enforcement and used this authority regularly during their operations in Alaska.

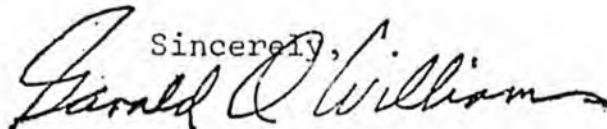
We incorporated substantially the same statutory language. However, the Legislative Committee was prevailed upon by their attorney members, particularly Mr. Wendell Kay, as I recall to seriously dilute the search and seizure authority which the bill was intended to provide. Some members of the Legislature felt that a broader search and seizure should be allowed for fish and game enforcement, and a compromise was suggested by Mr. Kay wherein the present language was incorporated. This language did not

Resources Committee
Page Two
February 4, 1982

broaden their authority, it has the opposite effect, but restricts it even more than the common-law authority which peace officers have to conduct search and seizures in every other area of criminal law enforcement.

This provision serves no legal purpose, is confusing and at the very least imposes a constricting effect on Fish and Wildlife Enforcement Officers. I say it has no legal effect, because if the issue were ever reviewed by the Alaska Supreme Court, I am convinced in my own mind that they would rule that it is merely "administrative" and should be dispensed with. Unfortunately, it is confusing to the officers themselves, to the public, and provides a touchstone for argument to defense attorneys and a confusing requirement which legally untrained Magistrate's frequently feel is fundamental to the entire issue of the search and seizure involved. I would suggest that from what Col. Tetzlaff has relayed to me concerning the Committee's own review of this section, that you too wonder what the hell it is supposed to mean. I would submit, that it represents nothing other than a well known defense attorneys ploy to confuse his fellow legislators and confound the law and law enforcement.

Sincerely,



Gerald O. Williams
District Court Judge

GOW/kw

Analysis of SSHB 409 (Hurlbert)

Provides that the board of game may designate areas of the state wherein it is illegal for a non-resident to hunt brown bear, grizzly bear, polar bear, sheep, caribou or moose, unaccompanied by a guide or a person who is within the second degree of kindred.

Provides that non-resident aliens must have a guide or be accompanied by a person within the second degree of kindred to hunt brown bear, grizzly bear, polar bear, sheep, caribou or moose anywhere in the state.

Provides that non-resident hunters must furnish an affidavit showing that he will be accompanied by qualified person under the terms of this section.

Defines non-resident alien.

Repeals 16.05.340(e), which provides a tag fee schedule for guides for animals taken on guided hunts, and 16.05.407(c), the misdemeanor penalty of not more than 1 year in jail or \$2,500 fine or both for violation or 16.05.407(a).

Provides effective date.

Introduced: 2/8/82
Referred: Resources

BY HURLBERT, ZHAROFF AND
GRUSSENDORF

1 IN THE HOUSE

2 SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 409

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TWELFTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to guiding; and providing for an
7 effective date."

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

9 * Section 1. AS 16.05.255(a) is amended by adding a new paragraph to
10 read:

11 (11) designating areas of the state to which AS 16.05.407(a)
12 applies.

13 * Sec. 2. AS 16.05.407(a) is repealed and reenacted to read:

14 (a) It is a class A misdemeanor for a nonresident, except a non-
15 resident subject to (d) of this section, to take brown bear, grizzly
16 bear, polar bear, sheep, caribou, or moose in areas of this state desig-
17 nated in regulations adopted by the Board of Game, unless personally
18 accompanied by a person who is licensed as a master guide, registered
19 guide or assistant guide under AS 08.54 or by a resident Alaskan over 19
20 years of age who is the spouse of or is related by blood within and
21 including the second degree of kindred to the nonresident.

22 * Sec. 3. AS 16.05.407 is amended by adding new subsections to read:

23 (d) It is a class A misdemeanor for a nonresident alien to [hunt,
24 pursue or] take [brown bear, grizzly bear, ^{Big Game} polar bear, sheep, caribou, or
25 moose] in this state unless personally accompanied by a person who is
26 licensed as a master guide, registered guide, or assistant guide under
27 AS 08.54 or by a resident Alaskan over 19 years of age who is the spouse
28 of or is related by blood within and including the second degree of
29 kindred to the alien.

1 (e) A person who applies for a nonresident big game tag for the
2 taking of an animal specified in this section shall first furnish to the
3 state, on a form provided by the state, an affidavit showing that he
4 will be accompanied in his hunt by a person who is qualified under the
5 terms of this section. A person who falsifies the required affidavit is
6 guilty of perjury under AS 11.56.200.

7 (f) In this section, "nonresident alien" means a person who is not
8 a citizen of the United States and whose permanent place of abode is not
9 in the United States.

10 * Sec. 4. AS 16.05.340(e) and 16.05.407(c) are repealed.

11 * Sec. 5. This Act takes effect July 1, 1982.

MEMORANDUM

State of Alaska


TO: Harry Treager, Director
Division of Occupational Licensing

DATE: January 27, 1982

FILE NO:

TELEPHONE NO:

SUBJECT: Alien Hunters


FROM: Margie Odland
Regulations Specialist
Division of Occupational Licensing

Earlier today, I spoke with Kathleen McGuire from the Attorney General's office in Anchorage, in regards to research or opinions rendered concerning alien hunters in Alaska.

Ms. McGuire informed me that she and Liza McCracken had collected some data from 1978 on the number of alien hunters in Alaska and violations by alien hunters. (Violations occurred with and without licensed guides on these hunts). There were alien hunters from 22 countries in 1978. The outstanding number of violations by these hunters fell in the category of unguided bear hunts as follows:

Sweden - 55 unguided black bear hunts

W. Germany - 129 unguided black bear hunts
18 unguided brown bear hunts

Austria - 22 unguided black bear hunts

Ms. McGuire stated that the statistics compiled may be inaccurate since not all violations in 1978 were able to be investigated and, at the time, were not coded into the computer system. (This is now being done).

In 1979, the State collected \$340,000 in tag fees from alien hunters.

There has been no opinion rendered by the Attorney General's office concerning alien hunters. The statistics from the data collected by Ms. McGuire and Ms. McCracken were put in the form of an in-house memorandum only, due to their likelihood of inaccuracy.

THE LEGISLATURE OF THE STATE OF ALASKA
TWELFTH LEGISLATURE

FISCAL NOTE

I. REQUEST

Bill/Resolution No. HB 402
 Title An Act Relating to Late Applications for Limited Entry Permits
 Requested by Zharoff, Clocksin, Cato and Chuckwuk Date May 20, 1981

II. FISCAL DETAIL

Agency Affected Fish and Game
 Program Category Affected NRMEC
 BRU, Program, or Subprogram(s) Affected Commercial Fisheries Entry Commission
 (Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)

EXPENDITURES (Thousands of Dollars)

	FY 81	FY 82	FY 83	FY 84	FY 85	FY 86
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL	-0-	-0-	-0-	-0-	-0-	-0-

FUNDING (Thousands of Dollars)

	FY 81	FY 82	FY 83	FY 84	FY 85	FY 86
GENERAL FUND	-0-	-0-	-0-	-0-	-0-	-0-
FEDERAL FUNDS						
OTHER (Specify Fund Source)						

POSITIONS

	FY 81	FY 82	FY 83	FY 84	FY 85	FY 86
FULL TIME	-0-	-0-	-0-	-0-	-0-	-0-
PART TIME						
TEMPORARY						

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

IV. DATE May 20, 1981 PREPARED BY Cathy Brown
 AGENCY Department of Fish and Game
 PHONE 465-4100
 Original: Legislative Finance
 cc: Budget and Management
 Prime Sponsor (First Legislator Named)

C. Brown

APR 13 1981

FREDERICK TORRISI

Attorney

Box 10047
Dillingham, Alaska 99576
842-5608

April 10, 1981

Fred F. Zharoff, CO-Chairperson
House Resources Committee
Pouch V (MS 3100)
Juneau, Alaska 99811

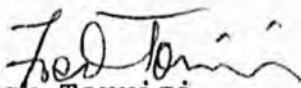
re: HB 402

Dear Representative Zharoff:

Because we discussed the problem of late filers for limited entry permits at length last year, I will not raise all the same arguments now. I am sure you recall the teleconference last year, at which 50 rural residents testified in favor of the bill and none testified against it. In behalf of those people, I thank you for reintroducing the bill. If there is anything I can do to assist you in securing passage, please do not hesitate to call me.

Thank you for your efforts in behalf of Alaska's disenfranchised fishermen and women.

Sincerely,


Frederick Torrison
Attorney

FT/lm

cc: Bette Cato
Don Clocksin
Joseph Chuckwuk

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MSG 81-00013706 PRTY 1 04/23/81 11:59:45 ORIG: LA02 IN= 0002 OUT= 0118
FROM: ROBERTA TO: JUNI INFO
TARGET: LJH2 SUBJ: POMS PAGE 0002

TO: SENR DRS HOHMAN, STURGULEWSKI, BRADLEY; REPRESENTATIVES ZHAROFF, CATO,
PHILLIPS, MALONE, COTTEN, HALFORD
FROM: LAURA CARPENTER, 106 STEWART, ANC 99504; 333-7138
VOTE "NO" ON HB 402. THERE ARE TOO MANY PERMITS NOW. I AM AN EXAMPLE,
SET NET PERMIT, AND NOWHERE TO FISH.

File

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MSG 81-00013458 PRY 1 04/22/81 10:37:33 ORIG: LA02 IN= 0002 OUT= 0077
FROM: ROBERTA TO: JUND INFO
TARGET: LJH2 SUBJ: POMS

PAGE 0001

TO: ALL MEMBERS OF THE HOUSE, ALL MEMBERS OF THE SENATE
FROM: FRANCIS M COLLINS, 1350 W 27TH, APT A5, ANC 99503; 277-7359

THOUGH WE ARE A VERY SMALL MINORITY THERE ARE STILL SOME FISHERMEN
IN THIS STATE WHO WOULD LIKE TO HAVE LEGISLATION PASSED TO AMEND AND EXTEND
A LATE DATE FILING DATE FOR THOSE WHO WERE MISGUIDED AND MISUNDERSTOOD RE
THE LIMITED ENTRY PERMIT REGULATIONS.

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COMMITTEE REPORT

HOUSE

(7)

FURTHER:

2/11/82

Date:

February 24 1982

Mr. Speaker:

The Committee on RESOURCES has had SSND 409

"An Act relating to buildings and providing for an effective date."

under consideration and reports it back as follows:

- do pass do not pass
- do pass with attached amendments(s)
- replace with CS for SSND 409 same title
 new title
- and recommends _____
- AND attaches a "Letter of Intent" New Fiscal Note
- reports it back without recommendation
- referred to the _____ Committee

MEMBERS SIGNING
DO PASS

MEMBERS HAVING
OTHER RECOMMENDATIONS:

CHAIRMAN

409
MEMORANDUM

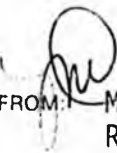
State of Alaska

TO: Harry Treager, Director
Division of Occupational Licensing

DATE: January 27, 1982

FILE NO:

TELEPHONE NO:


FROM: Margie Odland
Regulations Specialist
Division of Occupational Licensing

SUBJECT: Alien Hunters

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Ms. McGuire informed me that she and Liza McCracken had collected some data from 1978 on the number of alien hunters in Alaska and violations by alien hunters. (Violations occurred with and without licensed guides on these hunts). There were alien hunters from 22 countries in 1978. The outstanding number of violations by these hunters fell in the category of unguided bear hunts as follows:

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18 unguided brown bear hunts

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Ms. McGuire stated that the statistics compiled may be inaccurate since not all violations in 1978 were able to be investigated and, at the time, were not coded into the computer system. (This is now being done).

In 1979, the State collected \$340,000 in tag fees from alien hunters.

There has been no opinion rendered by the Attorney General's office concerning alien hunters. The statistics from the data collected by Ms. McGuire and Ms. McCracken were put in the form of an in-house memorandum only, due to their likelihood of inaccuracy.

BILL ANALYSIS

Department Public Safety	Sponsor (Principal) Hurlbert, Zharoff & Grussendcrf	Bill Number HB 409
Department Position Support with amendment.		
Division Director Colonel Robert J. Stickles <i>RJS</i>	Date 2/22/81	Commissioner Commissioner William R. Nix <i>WRN</i>
		Date 2-25-82

Comments:

Position Noted **By** _____ **Date** _____

SUMMARY

1. a) Related Bills (Similar or Conflicting) SB 302 HB 199	1. b) Other Agencies Affected by Bill Unknown
2. a) Organizational Support for Bill Unknown	2. b) Organizational Opposition to Bill Unknown

3. Program Effects of Bill
 Would require non-residents to have a guide or be guided by a relative for specific species. Would require non-resident aliens to have a guide or be guided by a resident for specific species.

4. Fiscal Impact: None Fiscal Note Attached

5. Amendments Proposed:
 Amend HB 409 by adding black bear, (including the cinnamon and blue color phases) deer and mountain goat to the following: AS 16.05.407(d) line 24 or 25; Amend HB 409 by adding Class A guide to the following: AS 16.05.407(a) line 18 or 19; AS 16.05.407(d), line 26 or 27.

6. Comments:
 The above amendments are offered to clean up the bill in perceived enforcement problem areas. Under 16.05.407(a) and (d), non-residents or non-resident alien hunters would be required to have a guide's services to hunt or pursue the big game species mentioned under these specific sections. Without the inclusion of Class A guides there would be a legal question as to whether a non-resident or non-resident alien could legally hunt with a Class A guide under this bill.

Big game species requiring a guide for non-resident aliens should also include black bear (including the cinnamon and blue color phases), deer and mountain goat under 16.05.407(d) of this bill.

(Continued)

HB 409 Bill Analysis
2/22/82

Large numbers of German, Swedish and Belgium non-resident alien hunters are being placed in camps in areas such as Prince William Sound, the Brooks Range and the Alaska Peninsula by booking agents for the specific purpose of hunting black bear and other species that presently do not require a guide. This places the unsupervised alien hunter in habitat of other big game species covered under HB 409. Inclusion of black bear, deer and mountain goats under this bill would be advantageous to the Division of Fish and Wildlife Protection from an enforcement standpoint.

FISCAL NOTE

I. REQUEST
 Bill/Resolution No. HB 409
 Title An Act Relating to Guiding and Providing and Effective Date
 Requested by Hurlbert, Zharoff and Grussendorf Date 2/19/82

II. FISCAL DETAIL
 Agency Affected Department of Public Safety
 Program Category Affected NNRMEC
 BRU, Program, Or Subprogram(s) Affected Fish & Wildlife Protection
 (Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)

EXPENDITURES (Thousands of Dollars)

	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 SUPPLIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL	0	0	0	0	0	0

FUNDING (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER (Specify Source)						
	0	0	0	0	0	0

POSITIONS

FULL TIME						
PART TIME						
TEMPORARY						
	0	0	0	0	0	0

III. ANALYSIS (See Fiscal Note Preparation Instruction, Section III)

IV. DATE 2/19/82 PREPARED BY Colonel Robert J. Stickles
 AGENCY Department of Public Safety
 Original: Legislative Finance PHONE 269-5522
 cc: Budget and Management
 Prime Sponsor (First Legislator Named) (Signature)
 33-001 (Rev. 12/81)

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KRIS
APR 20 1981

April 24, 1981

Alaska State Legislature
Pouch V
Juneau, Alaska 99811

Re: House Bill No. 420

Gentlemen:

As a local Homer Spit association, we try to promote tourism to our locale. With some 36 charter boats in our organization we are very concerned about the above referenced House Bill and would like to express our opposition as follows:

Sec. 08.63.010 REGISTRATION REQUIRED

There is absolutely no need to have an added state registration when the Coast Guard does a good job.

Sec. 08.63.020 ISSUANCE OF CERTIFICATE OF REGISTRATION

- 1) Anyone with good business sense will naturally get a business license. Anyone else will find a way to be illicit.
- 2) It would be self-destructive to not have insurance. Why be forced into it?
- 3) Boats are already licensed.
- 4) How else---
- 5) Superfluous.

Sec. 08.63.025 CERTIFICATE

- (a) 1) Why?
- 2) Why?

This should depend on how many people show up to go fishing.

(b) The fish here swim from one district to another and we try to catch them wherever they're at.

Sec. 08.63.030 CHARTER FISHING DISTRICTS

See (b) above.

Sec. 08.63.040 CHARTER LIMITED

- (a) See Sec. 08.63.025 above.
- (b) What's the matter with the Fish & Game regulations on limit per person? Should we send two 6-man boats out rather than one 12-man boat?
- (c) What if there is no fish there?

Sec. 08.63.050 VESSEL IDENTIFICATION

Why should a charter vessel be especially marked when it's fishing beside a tourist? Easily visible from a distance???

Sec. 08.63.060 DURATION & RENEWAL OF CERTIFICATE OF REGISTRATION

- (a) Who enforces this?
- (b) Registration not needed.

Sec. 08.63.070 FEES

- (a) \$75.00 is a large initial fee for a small boat that wants to take a couple people out fishing.
- (b) Where would this money go and for what?

Sec. 08.63.080 MISDEMEANOR

Is the commissioner of commerce supposed to have guards standing about?

In our opinion this bill is not specific in its wording and overall, an unnecessary piece of legislation. If Ketchikan or Juneau needs some type of rule to police their situation, let them perhaps pass a local ordinance.

Respectfully submitted,

Mima Kempf, Sec.

The Homer Spit Merchants' Association - SRA, Box 104, Homer, Alaska 99603
Representing:

Land's End Marine Charters

Seaview Charters

Alora Charters

North Country Charters

Sportsman's Charters

Lockhart Charters

Halibut King Charters

Angel Star Charters

Sea Witch Charters

Central Charter Booking Agency

To: Co-Ch: Fred F. Zharoff & Terry Gardiner, Resources Committee

Copies to: Rep. Hugh Malone, Rep. Pat O'Connell and Sen. Don Gilman

THE LEGISLATURE OF THE STATE OF ALASKA
TWELFTH LEGISLATURE

FISCAL NOTE

I. REQUEST

Bill/Resolution No. HB 420 (amended fiscal note)
 Title An Act relating to charter fishing vessels and operators.
 Requested by Freeman Date 4-15-81

II. FISCAL DETAIL

Agency Affected Department of Commerce & Economic Development
 Program Category Affected Public Protection
 BRU, Program, or Subprogram(s) Affected Regulation & licensing of professions-Admin/Investigative
 (Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)

EXPENDITURES (Thousands of Dollars)

	FY 81	FY 82	FY 83	FY 84	FY 85	FY 86
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200 TRAVEL		4.0	4.5	5.0	5.6	6.3
300 CONTRACTUAL		1.0	1.0	1.0	1.0	1.0
400 COMMODITIES		0	0	0	0	0
500 EQUIPMENT		1.0	0	0	0	0
600 LAND & STRUCTURES		2.7	2.7	2.7	2.7	2.7
700 GRANTS, CLAIMS, ETC.						
TOTAL		28.9	29.8	31.8	34.0	36.2

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FEDERAL FUNDS						
OTHER (Specify Fund Source)						

POSITIONS

	FY 81	FY 82	FY 83	FY 84	FY 85	FY 86
FULL TIME						
PART TIME		1	1	1	1	1
TEMPORARY						

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

PERSONAL SERVICES - FY'82 salary schedule, 7% inflation factor projected.
 1 investigator, Range 18, gen.govt., seasonal/6 mos. \$ 20,174.00

TRAVEL - 12% inflation factor projected.
 Investigator, all harbors 4,000.00

CONTRACTUAL
 Duplicating, postage and renewal forms costs 1,000.00

EQUIPMENT - one time costs, FY'82 only.
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 1 chair, exec.swivel with arms 235.54
 1 file cabinet, 5 drawer, legal with lock 308.83

LAND & STRUCTURES - 1.50 x 150 sq.ft. = 2,700 2 700.00

*Registration and administrative support functions to register charter vessels would be absorbed by present support staff budgeted for in FY'82.

IV. DATE 4-15-81 PREPARED BY Marjorie Odland, Regulations Specialist
 AGENCY Division of Occupational Licensing
 PHONE 465-2535

Original: Legislative Finance
 cc: Budget and Management
 Prime Sponsor (First Legislator Named)

4/23/81

DEPARTMENT OF FISH AND GAME
COMMENTS AND SUGGESTED AMENDMENTS ON HB 420
RELATING TO CHARTER VESSELS AND OPERATORS
(Freeman)

Overview -

The Department of Fish and Game feels that the charter boat activity should be regulated through the Board of Fisheries as any other fishery activity and is an industry which the Department supports.

2. No effective date is provided--this should be stated as January 1, 1982 so that implementation does not have to take place in mid-season, without appropriate operational regulations in place if any should be required.

Suggested Amendment -

Page 2, Line 2: (Sec. 08.63.020)

(3) the vessel to be used by the person to conduct charter fishing operations is licensed under AS 16.05.340 [16.05.490];

See added *Sec. 4 which provides for all licensing in the recreational fishing area to be consistently located. The added *Sec. 4 adds charter vessels to the recreational oriented activities;

Line 3:

(4) the operator [person] has been issued the license required under federal laws and regulations; and

Line 8: Sec. 08.63.025 Certificate.

(a) the certificate of registration [certificate] shall authorize the operator to conduct charter fishing operations. [and deploy either

1) not more than six fishing lines; or

2) more than six fishing lines.]

b) The certificate of registration shall indicate the charter fishing district or specified subdistrict as may be provided within which the person is registered to conduct charter fishing operations.

The suggested amendments to .025 attempt to make the wording consistent throughout the bill for the "certificate of registration." The other amendment would allow the Department of Fish and Game (Board of Fisheries) to regulate this activity as any other fishery.

The change in b) provides for the creation of subdistricts, should they become necessary. At present, some areas are heavily utilized by charter boat fisheries and it may become necessary to eventually create subdistricts.

Page 2, add to Line 20:

AS 16.10.375 and within these fishing districts he may establish charter vessel subdistricts if necessary.

Line 21-24: Sec. 08.63.040 Charters Limited (a) and (b)

Recommend deletion of (a) and (b) if considered as a Department of Fish and Game function.

Line 25-28

Recommend deletion.

Line 29 and Page 3, Line 1:

(c) A person may not conduct charter fishing operations outside the district or subdistrict for which he is registered.

Page 3, Line 2-5:

Sec. 08.63.050 VESSEL IDENTIFICATION.

Recommend deletion if considered as a Department of Fish and Game function through the Board of Fisheries.

Page 3, Line 10-11:

(b) A certificate of registration expires on December 31 [June 30] of each [the] calendar year [following the date of issuance or renewal].

The certificate of registration should not expire in mid-season but on a calendar year basis in accordance with a licensing year.

Line 12-13:

08.63.070 Fees. (a) An applicant for a certificate of registration shall pay an original registration fee of \$75.

This one time fee may pose an excessive cost, should the committee feel it appropriate to consider the fee schedule suggested in *Sec. 4 of the proposed amendments. Recommend deletion.

Line 14-15:

(b) The fee for the renewal of a certificate of registration [certificate] and vessel license for each calendar year shall be as prescribed in AS 16.02.340 [is \$20].

Line 16:

The class of misdemeanor is not specified, which establishes the limits of penalties. For example, a sport fish license violation

calls for a fine of not more than \$1,000, or by imprisonment for not more than six months, or both (AS 16.05.430).

A commercial fisheries violation provides for a fine of not more than \$5,000, or by imprisonment for not more than one year, or by both.

See added suggestion *Sec. 4.

Line 19-21: 08.63.100

(1) "charter fishing operations" means fishing ventures for hire [profit] in saltwater, [or in freshwater] if the fishing service provided includes a boat with an operator [vessel arrived there by a saltwater route].

* Sec. 4 AS 16.05.330 LICENSE AND TAGS REQUIRED. (a) It is unlawful, except as otherwise permitted in this chapter, for a person to engage in sport fishing, including the taking of razor clams, hunting, trapping, fur dealing, fish, fur, or game farming, [or] taxidermy or charter boat operations, without the appropriate license or tag and without having them in his actual possession.

(c) A vessel or boat used in charter service for the recreational or subsistence taking of fish and shellfish shall as a condition for such operation and use in the State be issued a license as a charter vessel as provided in Sec. 16.05.530 but in accordance with

the fees provided in Section 16.05.340 which shall be deposited
in the Fish and Game Fund.

* Sec. 5 AS 16.05.340 LICENSE AND TAG FEES.

(21) Charter boat operators licensi: \$20

All personnel employed by a charter boat who handles or assists
in handling any fishing lines, netting of fish for landing or
release aboard a charter boat or vessel must have his own appro-
priate sport fishing license.

(22) Charter boat or vessel license

(a) U.S. Coast Guard registered or documented Home Port
in the State of Alaska \$100

(b) U.S. Coast Guard registered or documented Home Port
out-of-State \$500

* Sec. 6 AS 16.05.490 is amended to read:

AS 16.05.490 Vessel License. (a) As a condition to delivery
or landing of fish or engaging in commercial fishing in the
State, a license is required for a commercial vessel, excluding
[including] a vessel used in charter service for the recreational
and subsistence taking of fish and shellfish.

Commanding Officer
Marine Safety Office
612 Willoughby Ave.
Juneau, Alaska 99801
Phone: 907-586-7288

Requirements for a License to Carry Passengers
for Hire

Applicable Laws:

All United States vessels carrying passengers for hire come within the jurisdiction of the navigation laws enforced by the United States Coast Guard. The law applicable to a particular passenger carrying vessel, and the personnel in charge of its operation, depends upon whether the number of passengers for hire carried is Seven or More, or Six or Less. Small passenger carrying vessels that carry Seven or More passengers for hire are required to be periodically inspected, operated within the terms contained in a Certificate of Inspection, and be in charge of a person possessing a license as OPERATOR or OCEAN OPERATOR. Motorboats (mechanically propelled vessels under 65 feet in length) and other small motor-driven vessels under 15 gross tons, that carry Six or Less passengers for hire are not required to be inspected or certificated, but are required to have in charge a person possessing a license as MOTORBOAT OPERATOR.

General Requirements For Either Of These Licenses Are That The Applicant:

1. meet the minimum age requirement
2. be able to speak, read, and understand the English Language
3. be of good habits of life and character as to warrant the belief that he can be entrusted with the duties and responsibilities of the person-in-charge
4. submit application in writing on Form CG-866, completing all applicable blocks (on blocks not applicable, the letters "N/A" should be entered)
5. present satisfactory evidence of the required amount and type of experience - This experience must be documented by letters from employers, official documents, or by affidavits from a least two (02) people who have detailed knowledge of the applicants experience. If any portion of the required service was obtained in the deck force of vessels of the U. S. Armed Forces, it will be required to submit documentary evidence that the operation of small craft was his primary duty for the period stated. This may be attested to by Commanding Officer and/or Duty Officer.
6. satisfactorily pass a physical examination
7. satisfactorily pass the required professional examination. This examination will not be administered until after the first six requirements have been satisfactorily completed.

Application Procedure:

Applicants will appear in person at this office with evidence of his/her experience duly notarized and a completed CG-866, License Application Form. Upon its approval, a CG-954, Application and Report of Physical Examination Form, will be issued authorizing the applicant to take, free of charge, the required physical examination at a U. S. Public Health Service facility. If an individual chooses to use any other reputable physician, and pays for the examination, a local physical form will be provided along with the application form. Once the applicant is certified physically competent, he may make an appointment for the professional examination.

Physical Requirements:

1. that the applicant is physically fit to perform the duties
2. that the applicant must have uncorrected vision of at least 20/100 in both eyes, correctable to at least 20/20 in one eye and 20/40 in the other
3. that the applicant's color sense is normal

Epilepsy, insanity, acute venereal disease or neurosyphilis, or badly impaired hearing, eyesight, or color blindness, or other defect which would render the applicant incompetent to perform the ordinary duties of the person in charge of a passenger carrying vessels are causes for certification as incompetent.

SPECIFIC REQUIREMENTS FOR EACH LICENSE

Note: 25% of all experience required in the operation of Motorboats, or Motor Vessels, must have been acquired in the past Three Years preceding the date of application. Seasonal and part time service shall only be credited for the actual days served.

Motorboat Operator (Six or Less Passengers):

1. The applicant must be at least 18 years of age.
2. The applicant must present evidence of at least 1 year's experience in the operation of motorboats, or other small mechanically propelled vessels. At least 3 months of this experience must have been on the waters requested, and must include a minimum of 12 round trips on the route requested.
3. Satisfactorily pass an examination on the subjects listed on the Table shown on Page No. 4 of this handout.

Operator (Inland Waters) (Seven or More Passengers):

1. The applicant must be at least 18 years of age.
2. The applicant must present evidence of at least 1 year's experience in the operation of mechanically propelled vessels. At least 3 months of this experience must have been on the waters requested and must include a minimum of 12 round trips on the route requested.
3. Satisfactorily pass an examination on the subjects listed on the Table shown on Page No. 4 of this handout.
4. Persons applying for Operator of Sailboats must submit evidence of at least 1 years experience in the operation of such vessels, and will be further examined on the operation and navigation of sailboats.
5. Applicants for Operator of Auxiliary Sailing Vessels must submit satisfactory evidence of at least 18 month's experience, 12 of which must have been in the operation of sailing vessels or auxiliary sailing vessels. The examination shall include questions concerning the operation of such vessels.

Operator (Ocean or Coastwise Waters) (Seven or More Passengers):

1. The applicant must be at least 19 years of age.
2. The applicant must present evidence that he is a citizen of the United States. (The original or a certified copy of applicant's Birth Certificate is the most acceptable evidence.)
3. The applicant must present evidence in the operation of mechanically propelled vessels engaged in ocean service, indicating the specific area of operation, the miles offshore, the name of the vessel, length, gross tonnage in which the experience was obtained. The amount of service required is:
 - a. Two (02) year's experience in the deck department of such vessels, if no other license or certificate is held; or
 - b. One (01) year's experience as a licensed Motorboat Operator, while operating on ocean or coastwise routes; or
 - c. Two (02) year's experience, one (01) year of which as Able Seaman in the deck department of ocean or coastwise steam or motor vessels, together with one (01) year's deck department service in the operation of ocean or coastwise motorboats or small motor vessels - all of which service shall have been acquired while holding a U. S. Merchant Mariner's Document, endorsed as "Able Seaman, Any Waters, Unlimited" or "Able Seaman, Any Waters, 12 Months".

Note: At least three (03) months of the above experience must have been on the waters requested and shall include a minimum of 12 round trips on the route requested.

4. Satisfactorily pass an examination on the subjects listed on Page No. 4 of this handout.

Ocean Operator Of Sail or Auxiliary Sailing Vessels:

The service requirements and examination for these licenses are more stringent than that for mechanically propelled vessels. Persons with a sincere interest should refer to 46 CFR 187.25, or contact this office for further information.

Suggest Sources of Study Materials:

CG-174 A MANUAL FOR THE SAFE HANDLING OF INFLAMMABLE AND COMBUSTIBLE LIQUIDS
CG-169 RULES OF THE ROAD
CG-323 RULES AND REGULATIONS OF SMALL PASSENGER VESSELS (UNDER 100 GROSS TONS)
CG-340 RECREATION BOAT GUIDE

Piloting, Seamanship, and Small Boat Handling by: CHARLES F. CHAPMAN
Knight's Modern Seamanship by: AUSTIN M. KNIGHT
Basic Boating: Piloting and Seamanship by: HOWARD L. ANDREWS/ALEXANDER L. RUSSELL

Table - Subjects

	Motorboat Operator		Operator	
	Inland Waters	Limited Ocean or Coastwise	Inland Waters	Limited Ocean or Coastwise
I <u>RULES OF THE ROAD</u>				
	Int'l	Inland & Int'l	Int'l	Inland & Int'l
Inland waters of S.E. Alaska are under Int'l Rules of the Road				
II <u>NAVIGATION GENERAL</u>				
Aids to Navigation	X	X	X	X
Chart Navigation	X	X	X	X
Variation & Deviation of the magnetic compass	X	X	X	X
III <u>GENERAL</u>				
Seamanship including handling vessel in heavy weather, anchoring and man overboard, use of sea anchor	X	X	X	X
Use & Reading of aneroid barometer	X	X	X	X
Use & Reading of weather bulletins	X	X	X	X
IV <u>SAFETY</u>				
Lifesaving & Firefighting equipment, incl. precautions to prevent fire, use of fire extinguishers	X	X	X	X
The operation of propelling machinery - safe & proper handling of fuel used.	X	X	X	X
First Aid	X	X	X	X
Rules and regulations applicable to all uninspected vessels operating on the Navigable Waters of the United States	X	X	X	X
V Rules and Regulations applicable to vessels carrying 7 or more passengers	N/A	N/A	X	X
VI Chart Plotting Problem	N/A	X	N/A	X
VII Sail Addendum*(the setting and taking in of a fore and aft sail and others relating to the handling of sails and sailing vessels)	N/A	N/A	X	X
*Administered in addition to applicants for a license as Operator of Sail or Auxiliary Sailing Vessels.				
VIII Local winds, weather, currents, navigational features and conditions (questions from the U.S. Coast Pilot, Light Lists, and Tide & Current Tables applicable to the requested area)	X	X	X	X

PHYSICAL EXAMINATION REPORT FOR OCEAN OPERATOR/
OPERATOR/MOTORBOAT OPERATOR
(Reference 46 CFR 187.10-15 or 46 CFR 10.20-7(a) (1))

UNITED STATES COAST GUARD REGULATION REQUIREMENTS:

For an original license as operator the applicant must have uncorrected vision of at least 20/100 in both eyes correctable to at least 20/20 in one eye and 20/40 in the other. Epilepsy, insanity, senility, acute venereal disease, or neurosyphilis, badly impaired hearing, or other defects that would render the applicant incompetent to perform the ordinary duties of a licensed operator are cause for rejection. A definite entry is required concerning color vision, vision without glasses (also with glasses if person wears them), ordinary and loud conversation in feet. A check mark may be used for other entries if conditions are normal. With respect to the color vision test, either (is) or (is not) must be lined out and type of test must be indicated. At the bottom of the form either (competent) or (incompetent) must be lined out. The form must be signed by the examining doctor. His name and address should be printed at the bottom of the form and date examination was completed.

NOTICE: Any changes made hereon nullify this report, unless accompanied by a letter from the examining physician explaining in full the reasons therefor.

Physical examination reports which are incomplete cannot be accepted.

I HEREBY CERTIFY THAT I HAVE THIS DATE EXAMINED: _____
(please print name)

EYES:
COLOR SENSE IS () IS NOT () NORMAL BY THE: _____
(indicate type used)
Vision, WITHOUT glasses: Right: _____ Left: _____
Vision, WITH glasses: Right: _____ Left: _____

EARS:
AUDITORY CANALS: Normal: _____ Discharge: _____
ORDINARY CONVERSATION: Right: _____ Feet: Left: _____ Feet
LOUD CONVERSATION: Right: _____ Feet: Left: _____ Feet

HEART:

LUNGS:
RIGHT: _____ REMARKS:
LEFT: _____

Stiff joint, old fractures, deformities, or other major defects:

HEIGHT: _____ WEIGHT: _____ COLOR OF HAIR: _____
COLOR OF EYES: _____ DATE OF BIRTH: _____ PLACE OF BIRTH: _____

SIGNATURE OF APPLICANT
IN PRESENCE OF EXAMINING
PHYSICIAN: _____
(signature of applicant)

Considering the finding in this examination and the duties of the position, I consider the applicant COMPETENT () INCOMPETENT () to perform the required duties.

(date) (signature of examining physician)

NAME, ADDRESS, AND TELEPHONE NUMBER OF ATTENDING PHYSICIAN (please print):

I WAS GRADUATED FROM _____ MEDICAL COLLEGE IN THE YEAR _____
STATE LICENSED IN _____ LICENSE NUMBER _____

MEMORANDUM

DATE: March 29, 1981

TO: Rep. Oral Freeman

FROM: David Sears, A.A.

RE: Licensing Charter Fishing Operations (HB 420)

It is not the intention of this bill to add government influence and regulation to the charter fishing industry; rather, the various federal and state regulations set forth in the bill already exist, but for any number of reasons many operations fail to meet them. This shortcoming very definitely results in not only poor operating practices and unlicensed "bootlegging" within the industry, but operators who lack the Coast Guard's mandatory vessel operators license present a serious safety problem when navigating in Alaska's dangerous waters.

The object of the bill is to see that existing industry standards are adhered to by all operators, and the consumer is protected from unsafe or ethically dubious--even fraudulent--business practices.

*Section 1 simply requires charter fishing operations to register with the State.

*Section 2 specifies registration under the Department of Commerce and Economic Development, and does not create a charter fishing board. All language on line 16, beginning with "A partnership or joint venture...", through line 19 is superfluous and will be eliminated.

Aside from part (2), requiring charter fishing operations to have liability insurance, all points listed under "Sec. 08.63.020. ISSUANCE OF CERTIFICATE OF REGISTRATION", beginning on line 20, are already required by State or Federal law: Part 1, a business license from the Department of Revenue; part 3, vessel registration for commercial fishing; part 4 says the operator of a vessel that at no time will carry more than six passengers will possess a motorboat operators license, as required by 46 CFR 25, and the operator carrying more than six passengers will have small passenger vessel license (known as a 100-ton license), both issued and enforced by the Coast Guard; part five says that vessel standards along the same lines--six-and-less and over-six--must be met. Currently, the Coast Guard is trying to enforce the federal regulations, but they feel a lackadaisical attitude towards regulations is rampant in the industry, and many unlicensed operators are carrying charters. They claim this is a hazardous condition (the Juneau Marine Safety Office commander has favorably responded to this bill).

"Sec. 08.63.025. CERTIFICATE" (page 2, line 8) and "Sec. 08.63.040. CHARTERS LIMITED" (page 2, line 21) are directly related. But first: "Sec. 08.63.030. CHARTER FISHING DISTRICTS" establishes such districts along the

existing regional aquaculture association lines. This is intended to allay potential "turf wars" that may flare up when fishing slackens in one area, leading to a large, temporary influx of operations into another. However, an operator may register to fish in any number of areas.

Under CERTIFICATE (page 2, line 8), operations are limited to six lines, maximum. The decision to create a six-line limit is double-edged: First, it is an effective way of protecting the resource--specifically, salmon--and, second, it will tend to curb deceptive business practices and stimulate competition.

(Six lines, incidentally, was arrived at because of the federal categories that segregate at the six-passenger limit, and because it follows a commonly recognized fact concerning saltwater fishing, that in trolling for salmon--salmon being the most sought-for species of game fish, and trolling the most popular and effective way to catch salmon--any more than six lines deployed at one time is ineffective; the greater the number of lines in the water, the proportionally greater chance of gear fouling and tangling (especially amongst inexperienced fishermen), and that is no way to catch salmon--or favorably promote an industry.)

It is my conclusion--which weighs heavily in this bill--that two charter fishing industries exist: One is small boat-oriented, and services the specific needs of serious fishermen-passengers; the excursions usually last in excess of three days, involve a dedicated pursuit of trophy-salmon, and is dependant to a great degree on return business (operators and passengers always know one another on a personal basis, sooner or later). Not by coincidence, this style of operation falls neatly into the less-stringent of the federal categories.

The "other industry" thrives on very short-term (day and half-day) charters, dependant to a great degree on being chartered by passengers from the large tourist ships. These vessels often carry more than thirty passengers (they require extensive Coast Guard inspection and certification, from laying of the keel to delivery), and the cost-per-passenger is far less than the charge to passengers of the small boats--they do get what they pay for. Given these circumstances, combined with the crucial element of the salmon's migratory habits, no basis exists to presume the larger vessels are serious salmon fishing operations.

But fishing per se is indeed a major part of both charter fishing phases; the larger vessels usually drift with many lines hung over the sides. Undoubtedly, this is fishing, but not effective salmon fishing. Therefore, the CHARTERS LIMITED section (page 2, line 21) allows more than six lines to be used for fishing off the bottom. But no more than six lines may be used for catching salmon, and an operator may not advertise as a salmon charter if he intends at any time to use more than six lines. The exact number of lines will be determined by the Department for each District.

* "Sec. 08.63.050. VESSEL IDENTIFICATION" (page 3, line 2) is self-explanatory.

"Sec. 08.63.060. DURATION AND RENEWAL..." (page 3, line 6) is self-explanatory, but the expiration date will be changed to avoid conflicting with the short charter fishing season (possibly to "January 1").

"Sec. 08.63.070. FEES" is an additional burden to the operator, on top of what is paid for a business license, commercial fishing vessel registration, et al.

"Sec. 08.63.080. MISDEMEANOR" and "Sec. 08.63.100. DEFINITIONS" are self-explanatory.

*Section 3 gives enforcement authority to the Department of Commerce and Economic Development, and emphasizes that this act is not cause for the creation of a Board of Charter Fishing Operators. (actual enforcement of the regulations created here will be by the Division of Occupational Licensing).

The Department of Commerce and Economic Development was chosen to administer this Act because of their regulatory expertise; all boards and related entities will be found under AS 08.01.010. The Department of Fish and Game was not chosen because of a general feeling that the agency is primarily concerned with biological and statistical determinations, not enforcement of regulations.

#

FISCAL NOTE

I. REQUEST

Bill/Resolution No. HB 420 (amended fiscal note)

Title An Act relating to charter fishing vessels and operators.

Requested by Freeman

Date 4-15-81

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Agency Affected Department of Commerce & Economic Development

Program Category Affected Public Protection

BRU, Program, or Subprogram(s) Affected Regulation & licensing of professions-Admin/Investigati

(Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)

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PART TIME		1	1	1	1	1
TEMPORARY						

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

PERSONAL SERVICES - FY'82 salary schedule, 7% inflation factor projected.

1 investigator, Range 18, gen.govt., seasonal/6 mos. \$ 20,174.00

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Investigaton, all harbors 4,000.00

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EQUIPMENT - one time costs, FY'82 only.

1 desk, double pedestal(60x30) 426.92

1 chair, exec.swivel with arms 235.54

1 file cabinet, 5 drawer, legal with lock 308.83

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*Registration and administrative support functions to register charter vessels would be absorbed by present support staff budgeted for in FY'82.

IV. DATE 4-15-81

PREPARED BY Mariorie Odland, Regulations Specialist

AGENCY Division of Occupational Licensing

Original: Legislative Finance

PHONE 465-2535

cc: Budget and Management

Prime Sponsor (First Legislator Named)

H B

4 2 2

STATE OF ALASKA

DEPARTMENT OF REVENUE

OFFICE OF THE COMMISSIONER

JAY S. HAMMOND, GOVERNOR

POUCH 5
JUNEAU, ALASKA 99811

April 13, 1981

The Honorable Fred F. Zharoff
The Honorable Terry Gardiner
Co-Chairman
House Resources Committee
Room 118 - Capitol Building
Juneau, Alaska

Dear Mr. Zharoff and Mr. Gardiner:

Re: House Bill No. 422

House Bill No. 422, an Act amending the fisheries business tax, was introduced in the House on March 30, 1981 and was referred to the House Resources and Finance Committees.

For the consideration of the House Resources Committee, I am enclosing copies of Fiscal Notes prepared by Mr. Gary L. Jenkins, Director, Audit Division; Phil Wall, Director, Administrative Services Division and Robert W. Elliott, Research Section of the Department of Revenue concerning the proposed legislation.

Sincerely,



R. D. Stevenson
Special Assistant

RDS/rdh

cc: The Honorable Samuel R. Cotten
Chairman
House Finance Committee

Joseph K. Donohue
Deputy Commissioner
Department of Revenue

Gary L. Jenkins, Director
Audit Division
Department of Revenue

Phil Wall, Director
Administrative Services Division
Department of Revenue

Robert W. Elliott
Research Section
Department of Revenue

THE LEGISLATURE OF THE STATE OF ALASKA
ELEVENTH LEGISLATURE

FISCAL NOTE

I. REQUEST

Bill/Resolution No. HB 422

Title An Act amending the fisheries business tax.

Requested by House Resources Committee Date March 30, 1981

II. FISCAL DETAIL

Agency Affected Department of Revenue

Program Category Affected Revenue Collection and Management

BRU, Program, or Subprogram(s) Affected Audit Division

(Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)

EXPENDITURES (Thousands of Dollars)

	FY 80	FY 81	FY 82	FY 83	FY 84	FY 85
100 PERSONAL SERVICES			56.3	56.3	56.3	56.3
200 TRAVEL			5.0	5.0	5.0	5.0
300 CONTRACTUAL			6.0	6.0	6.0	6.0
400 COMMODITIES			1.0	1.0	1.0	1.0
500 EQUIPMENT			2.0			
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL			70.3	68.3	68.3	68.3

FUNDING (Thousands of Dollars)

GENERAL FUND			70.3	68.3	68.3	68.3
FEDERAL FUNDS						
OTHER (Specify Fund Source)						

POSITIONS

FULL TIME			2	2	2	2
PART TIME						
TEMPORARY						

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

See attached memorandum to R.D. Stevenson dated April 9, 1981.

MEMORANDUM

State of Alaska

TO: R. D. Stevenson
Legislative Assistant

DATE: April 9, 1981

FILE NO:

TELEPHONE NO:

FROM: Gary L. Jenkins
Director
Audit Division

SUBJECT: HB 422

This bill would make a major change in the imposition of the Fisheries Business Tax in that the tax would be levied on the first person buying a fishery resource rather than the current provision in which the tax is levied on the first person processing the resource in the state. This change in who is liable for the tax would have a significant impact on this division. Under the present law, we can easily determine who the taxpayers are because of all the requirements a fish processor must meet to do business in Alaska. However, under the proposed change there would be a large number of fish buyers who would become subject to the tax and most of them have no current filing requirements with the department. Thus, our enforcement efforts would have to be enhanced to insure that we identify all those businesses who are liable for the tax and that they in fact properly report and pay their tax liability. To accomplish this would require the addition of one tax examiner position and one revenue auditor position. The tax examiner would be required to process the additional applications and returns and the auditor to identify and audit the additional taxpayers who will be required to file returns and pay the fisheries business tax.

If action is to be taken on this bill, it is recommended that a sentence in section 1 of the bill be deleted because it has no meaning in the context of the revised language pertaining to who is the taxpayer. That sentence begins on page 1, line 20 starting with the word "In" and goes to the end of the paragraph.

For clarity purposes I would also suggest that the proposed addition on page 3, line 25, which states "or transport" be deleted and the phrase "or transports out of the state for subsequent processing," be inserted on page 3, line 26 between the words state and computed.

THE LEGISLATURE OF THE STATE OF ALASKA
ELEVENTH LEGISLATURE

FISCAL NOTE

I. REQUEST

Bill/Resolution No. HB 422
 Title Amending the Fisheries Business Tax
 Requested by House Resources Date 3-31-81

II. FISCAL DETAIL

Agency Affected _____ Revenue _____
 Program Category Affected General Government
 BRU, Program, or Subprogram(s) Affected Administration & Support, Management Services

(Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)

EXPENDITURES (Thousands of Dollars)

	FY 81	FY 82	FY 83	FY 84	FY 85	FY 86
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL	-0-	-0-	-0-	-0-	-0-	-0-

FUNDING (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER (Specify Fund Source)						

POSITIONS

FULL TIME						
PART TIME						
TEMPORARY						

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

There is no additional administrative or processing cost as the result

THE LEGISLATURE OF THE STATE OF ALASKA
TWELFTH LEGISLATURE

FISCAL NOTE

I. REQUEST

Bill/Resolution No. HB 422
 Title Amending the fisheries business tax
 Requested by House Resources Committee Date 4/6/81

II. FISCAL DETAIL

Agency Affected _____
 Program Category Affected _____
 BRU, Program, or Subprogram(s) Affected _____
 (Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)
EXPENDITURES (Thousands of Dollars)

	FY 81	FY 82	FY 83	FY 84	FY 85	FY 86
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						

TOTAL

FUNDING (Thousands of Dollars)

GENERAL FUND			(3,121.0)	(3,433.0)	(3,776.0)	(4,153.0)
FEDERAL FUNDS						
OTHER (Specify Fund Source)						

POSITIONS

FULL TIME						
PART TIME						
TEMPORARY						

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

The above figures reflect the subsequent revenue change in the fisheries business tax by reducing the overall tax rate and by transferring the tax liability to the purchaser. Assumptions are based on a 10% inflation rate for the years following a FY 1982 base year for which revenues have been estimated.

IV. DATE 4/6/81 PREPARED BY Robert W. Elliott
 AGENCY Revenue
 PHONE 465-2309
 Original: Legislative Finance
 cc: Budget and Management
 Prime Sponsor (First Legislator Named)

H B

4 3 9



Alaska State Legislature

House of Representatives

Committee on Resources

Terry Gardiner, Co-Chairman
Fred F. Zharoff, Co-Chairman
465-3715

Pouch V
State Capitol
Juneau, Alaska S. 111

MEMO: April 27
TO: Committee
FROM: Bob Speed, A.A.
RE: Amendments to HB 439

Conflict with HB 9
HB 9: Page 16, line 24 (SS)
HB 439: Page 4, lines 15 and 21

Page 4, lines 15 and 21: add.", or a building owned or operated
by a non-profit corporation"

THE LEGISLATURE OF THE STATE OF ALASKA
TWELFTH LEGISLATURE

FISCAL NOTE

I. REQUEST

Bill/Resolution No. House Bill 439
Title An Act Relating to an Energy Conservation Program for Residences or Businesses
Requested by Resources Committee Date _____

II. FISCAL DETAIL

Agency Affected Department of Commerce and Economic Development
Program Category Affected Development
BRU, Program, or Subprogram(s) Affected Division of Energy and Power Development
(Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)

EXPENDITURES (Thousands of Dollars)

	FY 81	FY 82	FY 83	FY 84	FY 85	FY 86
100 PERSONAL SERVICES	280.823					
200 TRAVEL	12.					
300 CONTRACTUAL	168.7					
400 COMMODITIES	6.					
500 EQUIPMENT	12.28					
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.	9,555.55					
TOTAL	10,035.353					

FUNDING (Thousands of Dollars)

	FY 81	FY 82	FY 83	FY 84	FY 85	FY 86
GENERAL FUND	10,035.353					
FEDERAL FUNDS						
OTHER (Specify Fund Source)						

POSITIONS

	FY 81	FY 82	FY 83	FY 84	FY 85	FY 86
FULL TIME	9					
PART TIME						
TEMPORARY						

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

The budget presented provides sufficient support for the division to develop alternative energy and commercial energy audit standards and provide for the payment of grants and refunds for alternative energy and energy conservation improvements.

IV. DATE 4-23-81 PREPARED BY CHARISSA M. QUINLAN

AGENCY Energy & Power Development
PHONE 276-0508

Original: Legislative Finance
cc: Budget and Management
Prime Sponsor (First Legislator Named)

HOUSE BILL 439

<u>100 Personal Services</u>		\$280,823
4 Energy Specialist II (18A) 4 x \$2,692/mo. x 12 plus 25.5% payroll burden =		\$162,166
1 Administrative Assistant I (12A) \$1,761/mo. x 12 plus 25.5% payroll burden =		26,520
2 Accounting Clerk III (10A) 2 x \$1,564/mo. x 12 plus 30% payroll burden =		48,676
2 Clerk Typist III (8A) 2 x \$1,392/mo x 12 plus 30% payroll burden =		43,461
<u>200 Travel</u>		\$ 12,000
<u>300 Contractual</u>		\$168,700
Professional services		
Development of commercial energy audit standards		25,000
Development of alternative energy audit standards		25,000
Commercial and homeowner workshops and public education "How-to-do it" workshops on alternative energy in Alaskan communities		50,000
Instructor fees for 10 auditor alter- native energy proficiency upgrading workshops (2 Fairbanks, 3 Anchorage, 1 Juneau, 1 Ketchikan, 1 Bethel, 1 Barrow)		26,400
Space rental (\$1.5/sq. ft. x 150 sq. ft. x 12 mo.) =		24,300
Phones, copying, printing, etc.		18,000

400 Supplies \$ 6,000

500 Equipment \$ 12,280

2 programmable calculators @ \$200	400
4 calculators @ \$1,000	4,000
3 Selectric typewriters @ \$900	2,700
9 desk chairs @ \$381	3,435
7 files @ \$159	1,113
4 bookcases @ \$83	332
5 tables @ \$60	300

700 Grants, Claims, Etc. \$9,555,550

Grants/refunds for alternative energy systems
25,870 audits x .10 who apply for alternative system x \$3,500 \$9,055,550

Refunds for energy conservation and alternative energy improvements for commercial and industrial buildings
\$10,000 x 500 businesses = 500,000

THE LEGISLATURE OF THE STATE OF ALASKA
TWELFTH LEGISLATURE

FISCAL NOTE

I. REQUEST

Bill/Resolution No. HB 439

Title An Act Relating to an Energy Conservation Program for Residences & Businesses

Requested by _____ Date _____

II. FISCAL DETAIL

Agency Affected Commerce & Economic Development

Program Category Affected Development

BRU, Program, or Subprogram(s) Affected Division of Business Loans

(Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)

EXPENDITURES (Thousands of Dollars)

	FY 81	FY 82	FY 83	FY 84	FY 85	FY 86
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL		-0-	-0-	-0-	-0-	-0-

FUNDING (Thousands of Dollars)

GENERAL FUND		-0-	-0-	-0-	-0-	-0-
FEDERAL FUNDS						
OTHER (Specify Fund Source)						

POSITIONS

FULL TIME						
PART TIME						
TEMPORARY						

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

No additional staff is required with present appropriation for loan capitalization.

IV. DATE April 14, 1981

PREPARED BY Sharon Traylor, Director
AGENCY Dept. Commerce & Econ. Dev., Div. Business Loans
PHONE 465-2510

Original: Legislative Finance
cc: Budget and Management
Prime Sponsor (First Legislator Named)