

STATE OF ALASKA

THE LEGISLATURE

1989

Source

Legislative
Resolve No.

CSSJR 33(Res)

29



Relating to reauthorization of the Magnuson Fishery Conservation and Management Act by Congress.

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF ALASKA:

WHEREAS the Magnuson Fishery Conservation and Management Act of 1976 is due for reauthorization by the Congress by September 30, 1989; and

WHEREAS the Magnuson Fishery Conservation and Management Act is the most significant federal fisheries legislation in the history of our country; and

WHEREAS with the enactment of the Magnuson Fishery Conservation and Management Act the United States became the world leader in firmly establishing a sound foundation for rational marine fisheries management; and

WHEREAS while the Magnuson Fishery Conservation and Management Act states that the United States has jurisdiction over American anadromous species, such as salmon and steelhead, on the high seas beyond the United States Exclusive Economic Zone, the federal government claims some ambiguity exists on asserting that jurisdiction for the purpose of stopping illegal harvests of salmon and steelhead on the high seas; and

WHEREAS Alaska, Washington, and Oregon are losing hundreds of millions of dollars annually due to the illegal harvest of North American salmon and steelhead on the high seas, which substantially affects the American economy and the United States' balance of trade;

BE IT RESOLVED that the Alaska State Legislature respectfully requests the Congress to reauthorize the Magnuson Fishery Conservation and Management Act this year and to add the following amendments as a minimum:

(1) a reemphasis that the Governing International Fisheries Agreements with foreign fishing nations require boarding of all foreign vessels on the high seas as part of the United States' extended jurisdiction over anadromous species and mandate that the boarding and the seizure of evidence of violations of the agreements be nondiscretionary;

(2) establishment of salmon protection zones beyond the United States and Soviet Exclusive Economic Zones and creation of a rebuttable presumption that salmon discovered on board vessels within the salmon protection zones are salmon of North American or Soviet origin;

(3) a prohibition on the sale, purchase, transport, or further marketing of anadromous fish not harvested within fisheries authorized under international treaty or within the Exclusive Economic Zone of the nation of origin of the anadromous fish;

(4) establishment of a country of origin certification program, whereby all salmon legally caught in the United States are identified, labeled, and documented as salmon of the United States; and a request that all other nations of origin establish similar programs;

(5) a Congressional declaration calling for ending high seas gillnet fishing beyond the Exclusive Economic Zones of all nations by 1992 and directing the U.S. Secretary of State to develop by 1992 a new international fisheries organization consisting of all the salmon-producing nations in the world;

(6) extension of state jurisdiction from 3 miles to 12 miles for the purpose of managing living marine resources and in order to make the seaward boundaries of all states' waters consistent;

(7) expand the sanctions under the Pelly amendment to include any product imported into the United States from any violating nation;

(8) a requirement that transponders, transmitters, or other type of satellite communications device appropriate to provide instantaneous locational information be required on board all foreign vessels fishing within identified salmon zones;

(9) a requirement that federal intelligence agencies provide available information to the U.S. Coast Guard on the location of foreign fishing vessels without jeopardizing national security interests;

(10) a clarification that regional fishery management councils do have the authority to establish mandatory, 100 percent coverage, observer programs for domestic groundfish fishing vessels, and that these are to be paid for by industry user fees;

(11) a declaration that the current geographic balance of the membership of the North Pacific Fishery Management Council is appropriate;

(12) a mechanism for a community development quota of groundfish to be used for fisheries development in small rural communities of Alaska.

COPIES of this resolution shall be sent to the Honorable George Bush, President of the United States; the Honorable Dan Quayle, Vice-President of the United States and President of the U.S. Senate; the Honorable James A. Baker, III, U. S. Secretary of State; the Honorable Edward E. Wolfe, Ambassador for Fisheries and the Ocean, U. S. Department of State; the Honorable Robert A. Mosbacher, U. S. Secretary of Commerce; William E. Evans, Administrator, National Oceanic and Atmospheric Administration, U.S. Department of Commerce; the Honorable George J. Mitchell, U. S. Senate Majority Leader; the Honorable Jim Wright, Speaker of the U. S. House of Representatives; the Honorable George Deukmejian, Governor of the State of California; the Honorable Leo T. McCarthy, President of the Senate of the State of California; the Honorable Willie Lewis Brown, Jr., Speaker of the Assembly of the State of California; the Honorable Cecil D. Andrus, Governor of the State of Idaho; the Honorable C.L. Otter, President of the Senate of the State of Idaho; the Honorable Tom Boyd, Speaker of the House of Representatives of the State of Idaho; the Honorable Neil Goldschmidt, Governor of the State of Oregon; the Honorable John Kitzhaber, President of the Senate of the State of Oregon; the Honorable Vera Katz, Speaker of the House of Representatives of the State of Oregon; the Honorable Booth Gardner, Governor of the State of Washington; the Honorable Joel Pritchard, President of the Senate of the State of Washington; the Honorable Joseph E. King, Speaker of the House of Representative of the State of Washington; and to the Honorable Ted Stevens and the Honorable Frank Murkowski, U.S. Senators, and the Honorable Don Young, U.S. Representative, members of the Alaska delegation in Congress.