

CS FOR HOUSE JOINT RESOLUTION NO. 38(FSH)

IN THE LEGISLATURE OF THE STATE OF ALASKA

NINETEENTH LEGISLATURE - FIRST SESSION

BY THE HOUSE SPECIAL COMMITTEE ON FISHERIES

Offered: 4/18/95

Referred: Resources

Sponsor(s): REPRESENTATIVES AUSTERMAN, Navarre, Grussendorf, Williams

A RESOLUTION

1 Relating to reauthorization of the Magnuson Fishery Conservation and Management
2 Act.

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

4 WHEREAS the Magnuson Fishery Conservation and Management Act (hereinafter
5 "the Act") established a fishery conservation zone, now known as the exclusive economic zone
6 (EEZ), out to 200 miles from the shoreline of Alaska and the other states to protect, conserve,
7 and manage the extensive fisheries resources of the continental shelf; and

8 WHEREAS coastal communities of Alaska lie adjacent to, and depend upon, the
9 fishery resources of the federally managed EEZ in the Bering Sea, Gulf of Alaska, and North
10 Pacific Ocean off Alaska; and

11 WHEREAS the Act provides for the management of the fishery resources of the EEZ
12 through regional fishery management councils and by the National Marine Fisheries Service;
13 and

14 WHEREAS the United States Congress is currently considering the reauthorization of
15 the Act; and

16 WHEREAS several issues of national and regional importance are being considered

1 as part of the reauthorization process for the Act;

2 **BE IT RESOLVED** that the Alaska State Legislature respectfully requests the
3 Congress to reauthorize the Magnuson Fishery Conservation and Management Act with the
4 following provisions:

5 (1) authorize the regional fishery management councils to minimize the bycatch
6 of unwanted species, sizes, or sexes of fishery resources and to promote full utilization of
7 fishery resources;

8 (2) require the regional fishery management councils to establish and
9 implement protections against overfishing of all species of fishery resources;

10 (3) establish reasonable restrictions on direct, personal, and financial conflicts
11 of interest by members of the regional fishery management councils, provided that those
12 restrictions recognize that minor insignificant conflicts are inevitable and acceptable given the
13 nature of the membership of the regional fishery management councils;

14 (4) establish a moratorium, for a minimum of three years, upon the
15 establishment and implementation of individual fishery quota systems for federally managed
16 fisheries;

17 (5) provide a portion of the annual harvest in a fishery subject to individual
18 transferrable quotas for entry level fishermen or small vessel owners who do not hold
19 individual transferrable quotas;

20 (6) require a portion of fees or rents collected from federally managed fisheries
21 be distributed to the adjacent coastal states for fishery conservation and management purposes;

22 (7) require that the federal fee system for federally managed fisheries allow
23 a deduction for other local, state, and federal fishing fees and taxes that are paid by fishermen;

24 (8) amend 16 U.S.C. 1856 to authorize the extension of state jurisdiction into
25 the exclusive economic zone when a North Pacific Fishery Management Council fishery
26 management plan does not exist; and

27 (9) authorize the establishment and implementation of community development
28 quota or community protection set-aside programs for the Bering Sea and Aleutian Islands
29 areas to aid fishery development and recognize the economic dependence of coastal
30 communities upon fishing; and be it

31 **FURTHER RESOLVED** by the Alaska State Legislature that fees, taxes, or royalties

1 levied on the harvesting or processing of fishery resources in the exclusive economic zone
2 must recognize and give credit for other federal, state, and local fees, taxes, and royalties also
3 levied on those same activities and that revenue derived from fees, taxes, or royalties levied
4 on the harvesting or processing of fishery resources in the exclusive economic zone be utilized
5 for the management, enforcement, research, and administration of fishery programs in the
6 areas where the revenue was derived; and be it

7 **FURTHER RESOLVED** by the Alaska State Legislature that the National Marine
8 Fisheries Service should receive the funding necessary to provide the regional fishery
9 management councils with sufficient biological information to implement controls against
10 overfishing and with the research needed to understand and manage fishery resources; and be
11 it

12 **FURTHER RESOLVED** that the Alaska State Legislature respectfully opposes any
13 proposal to alter the established composition of the North Pacific Fishery Management
14 Council.

15 **COPIES** of this resolution shall be sent to the Honorable Frank Murkowski, Chair,
16 United States Senate, Committee on Energy and Natural Resources; the Honorable Don
17 Young, Chair, United States House of Representatives, Committee on Resources; and to the
18 Honorable Ted Stevens, Chair, United States Senate Subcommittee on Oceans and Fisheries
19 of the Committee on Commerce, Science, and Transportation.