

**ALASKA STATE LEGISLATURE
HOUSE SPECIAL COMMITTEE ON FISHERIES**

January 29, 2003
8:32 a.m.

MEMBERS PRESENT

Representative Paul Seaton, Chair
Representative Peggy Wilson, Vice Chair
Representative Cheryll Heinze
Representative Ralph Samuels
Representative Ethan Berkowitz
Representative David Guttenberg

MEMBERS ABSENT

Representative Pete Kott

OTHER LEGISLATORS PRESENT

Representative Gary Stevens

COMMITTEE CALENDAR

OVERVIEW OF COMMERCIAL FISHERIES ENTRY COMMISSION (CFEC),
INCEPTION OF LIMITED ENTRY FISHING SYSTEM, BY MARY McDOWELL,
COMMISSIONER.

TAPES

03-1, SIDE(S) A & B

CHAIR PAUL SEATON called the meeting of the House Special Committee on Fisheries to order at 8:32 a.m. Present at the call to order were Representatives Seaton, Wilson, Heinze, Samuels, and Berkowitz. Representative Kott was excused, and Representative Guttenberg arrived as the meeting was in progress. Also present was Representative Stevens.

SUMMARY OF INFORMATION

MARY McDOWELL, Commissioner, Commercial Fisheries Entry Commission (CFEC), presented an overview of CFEC's program. She explained that CFEC implements and administers the limited entry program, is responsible for annual licensing of commercial fishermen and fishing vessels, and provides research and data collection with respect to fisheries. She said by law, CFEC is

an autonomous agency, but for budget purposes it falls under the umbrella of the Alaska Department of Fish and Game. Ms. McDowell gave a historical overview of the state's involvement with fisheries management, which included the voters' approval, in 1972, of the "limited entry amendment" to Article VIII, Section 15, of the Alaska State Constitution, which says the state may:

... limit entry into any fishery for purposes of resource conservation, to prevent economic distress among fishermen and those dependent upon them for a livelihood and to promote the efficient development of aquaculture in the State.

This amendment was followed, in 1973, by the legislature's passing of the Limited Entry Act, which is a set of statutes that established the framework and process of the limited entry program and created CFEC to administer the program. Ms. McDowell explained that the legislature specifically designed the limited entry program to empower fishermen and to prevent the concentration of ownership and control of fisheries by canneries or by a few entities. She said that under the U.S. Constitution, the program cannot discriminate against non-Alaskans; however, the program is carefully constructed so that it protects Alaskans in the fishery. She mentioned that nearly 78 percent of all limited entry permits are held by resident Alaskans. She also commented on complaints received regarding permits leaving the state, and said that generally, "out-migration" is a misperception.

MS. McDOWELL outlined the general principles of CFEC, its functions, duties, and fee structure, as well as addressing the fundamental tenets of regulating and transferring of permits. She mentioned that CFEC is waiting for a ruling from the Alaska Supreme Court on the Carlson v. State lawsuit, which involves determining what fees residents versus nonresidents can be charged. She also mentioned current issues being addressed by CFEC such as the discussion of fleet consolidation, and optimum number determinations such as the one currently being done for the Bristol Bay salmon drift gillnet fishery.

MS. McDOWELL, in response to questions from the committee, referred to the following documents in the committee packet: "Limited Entry Facts"; "Limited Entry Procedure"; "Alaska's Limited Entry Program: Is It Working for Alaskans?"; "BRU/Component: Commercial Fisheries Entry Commission"; "Permit and Harvest Statistics for Alaska's Limited Entry Salmon

Fisheries, 1993 - 2002"; and excerpts from "Executive Summary: Changes in the Distribution of Alaska's Commercial Fisheries Entry Permits, 1975 to 2001." She pointed out that the packet also contains information on permit and fishing activity, and crewmember counts by census area, all accessible on CFEC's web site, www.cfec.state.ak.us.

ANNOUNCEMENTS

There were no announcements.

COMMITTEE ACTION

The committee took no action.

ADJOURNMENT

There being no further business before the committee, the House Special Committee on Fisheries meeting was adjourned at 9:48 a.m.

NOTE: The meeting was recorded and handwritten log notes were taken. A copy of the tape(s) and log notes may be obtained by contacting the House Records Office at State Capitol, Room 3, Juneau, Alaska 99801 (mailing address), (907) 465-2214, and after adjournment of the second session of the Twenty-Third Alaska State Legislature this information may be obtained by contacting the Legislative Reference Library at (907) 465-3808.