

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

February 9, 2005

8:35 a.m.

MEMBERS PRESENT

Representative Gabrielle LeDoux, Co-Chair
Representative Bill Thomas, Co-Chair
Representative Jim Elkins
Representative Peggy Wilson
Representative Woodie Salmon

MEMBERS ABSENT

Representative John Harris
Representative Mary Kapsner

OTHER LEGISLATORS PRESENT

Representative Carl Moses

COMMITTEE CALENDAR

HOUSE BILL NO. 26

"An Act relating to short-term commercial fishing crewmember licenses; and providing for an effective date."

- HEARD AND HELD

PREVIOUS COMMITTEE ACTION

BILL: HB 26

SHORT TITLE: SHORT-TERM COM FISHING CREWMEMBER LICENSE

SPONSOR(S): REPRESENTATIVE(S) MOSES BY REQUEST

01/10/05	(H)	PREFILE RELEASED 12/30/04
01/10/05	(H)	READ THE FIRST TIME - REFERRALS
01/10/05	(H)	FSH, RES, FIN
02/09/05	(H)	FSH AT 8:30 AM CAPITOL 124

WITNESS REGISTER

ADAM BERG, Staff
to Representative Carl Moses

Alaska State Legislature
Juneau, Alaska

POSITION STATEMENT: Presented HB 26 on behalf of the sponsor,
Representative Moses.

BRUCE GABRYS, Vice President
United Cook Inlet Drift Association
Eagle River, Alaska

POSITION STATEMENT: Testified in support of HB 26.

ROLAND MAW, Executive Director
United Cook Inlet Drift Association
Kenai, Alaska

POSITION STATEMENT: Testified in support of HB 26.

LARRY CALVIN
Sitka, Alaska

POSITION STATEMENT: Testified in support of HB 26.

ERIC JORDAN
Sitka, Alaska

POSITION STATEMENT: Testified in support of HB 26.

LIZ CHASE
Kenai, Alaska

POSITION STATEMENT: Testified in support of HB 26.

GERON BRUCE, Deputy Director
Commercial Fisheries Division
Alaska Department of Fish and Game
Juneau, Alaska

POSITION STATEMENT: Answered questions during discussion of HB
26.

ACTION NARRATIVE

CO-CHAIR GABRIELLE LEDOUX called the House Special Committee on Fisheries meeting to order at 8:35:18 AM. Representatives Thomas, LeDoux, Elkins, and Wilson were present at the call to order. Representative Salmon arrived as the meeting was in progress.

HB 26 - SHORT-TERM COMMERCIAL FISHING CREWMEMBER LICENSE

CO-CHAIR LEDOUX announced that the only order of business would be HOUSE BILL NO. 26, "An Act relating to short-term commercial

fishing crewmember licenses; and providing for an effective date."

8:35:56 AM

CO-CHAIR THOMAS moved [to adopt CSHB 26, Version 24-LS0181\G, Utermohle, 2/4/05 as the working document]. There being no objections, Version G was before the committee.

8:36:39 AM

ADAM BERG, Staff to Representative Carl Moses, Alaska State Legislature, testified on behalf of Representative Moses, sponsor of HB 26. He explained that HB 26 allows the purchase of one-day or three-day short-term commercial fishing crewmember licenses. Currently a yearlong license is the only license available, costing \$60 for a residents and \$180 for a nonresident; HB 26 sets the short-term license prices at \$30 for a one-day license and \$50 for a three-day license [regardless of residency]. Mr. Berg stated that the proposed short-term licenses would help commercial fishermen by giving them an opportunity to charge tourists to come work on a commercial fishing boat and "see the Alaska fishing industry up close and hands-on". He said that the bill also helps fishermen who need temporary, short-term help by allowing relatives, visitors to Alaska, or friends to assist on a short-term basis in a more affordable way.

8:38:03 AM

CO-CHAIR THOMAS referred to Section [3] which read as follows:

During the period for which the license is valid, a person who holds a one-day crewmember fishing license or a three-day crewmember fishing license may not engage in fishing with a rod and reel while present on a commercial fishing vessel.

CO-CHAIR THOMAS stated, "I was under the impression, even when I was on board, that I could not legally jig for fish unless I had sport license. ... Have I been wrong for 35 years?"

MR. BERG responded, "I don't know all the details of this." He explained that [this sentence] is geared toward the hand troll fleet in southeast. He said, "Charter operators were really worried about people going out on a hand troller where you can fish with rods. They were worried about people trying to get

around king salmon stamps. They were worried about allocations between commercial and sport on the king and coho fishing."

[8:39:14 AM](#)

REPRESENTATIVE ELKINS asked if a boat [operator] would need a six-pack license.

MR. BERG replied in the affirmative and added that a boat for hire needs to meet a number of Coast Guard requirements including: possessing a six-pack [or operator's] license, be enrolled in some type of drug-testing operation, and have additional flotation devices. He said that insurance isn't required but strongly recommended.

[8:40:15 AM](#)

CO-CHAIR LEDOUX asked if this would cause safety concerns by encouraging people to go out fishing who have [no boating experience].

MR. BERG replied that it is the permit-holder's responsibility to evaluate the [level of experience] of tourists boarding the boat. He said, "Since profit is always your bottom-line commercial fishing, I think that most fisherman ... would make sure these people weren't going to be a hindrance to their operation."

[8:41:05 AM](#)

CO-CHAIR LEDOUX remarked that she has received comments from her community [Kodiak] stating that a one-day or a three-day license isn't long enough due to weather delays. She asked if the sponsor would mind if the bill was changed to allow for a three-day and a five-day license instead of the shorter licenses.

MR. BERG replied that the sponsor wouldn't mind such changes.

REPRESENTATIVE WILSON commented that some of her constituents have voiced concern that short-term crewmember license holders would be allowed to fish with a rod and reel on a commercial boat, so she appreciated the adjustments that were made.

[8:42:15 AM](#)

CO-CHAIR LEDOUX [made a motion to adopt Conceptual Amendment 1 in which the words in Section 3 on page 2 reading "one-day" are

changed to "three-day" and the words in Section 3 on page 2 reading "three-day" are changed to "five-day". No objection was stated and the amendment was treated as adopted.]

CO-CHAIR LEDOUX turned to public testimony.

8:44:06 AM

BRUCE GABRYS, Vice President, United Cook Inlet Drift Association, stated that he has been a Cook Inlet Drift fisherman for 20 years. He commented that he is pleased with HB 26. He said that during the peak of the fishing season, fishermen often pick up crew who work for only a few days; "This [bill] provides an affordable method for us to provide that additional crew." He added that drift fishermen are now icing and bleeding fish onboard, and during the heavy runs that work requires extra hands. In regard to the safety issues, he said fishermen are already picking up short-term crew, and the skipper is responsible to assess the safety and skills of that crew.

8:45:34 AM

MR. GABRYS stated that currently visitors onboard a commercial fishing boat cannot participate or even touch a fish "and that really diminishes the experience for them." He comments that this bill would provide an affordable way for visitors to participate in the fishery.

MR. GABRYS noted that the effective date for the bill is July 1, 2005, and commented that he would like the licenses to become available by or before then because he has relatives visiting him this summer whom he would like to afford them the opportunity of going commercial fishing.

MR. GABRYS said that the addition of the "rod and reel" sentence to the bill was a good change. He said that he also agreed with the extension of the license term to three to five days; that would provide some weather flexibility. He remarked that he was disappointed with the cost of the short-term licenses; he would prefer that the [proposed] three-day license cost \$15 and the five-day license cost \$30.

8:48:07 AM

ROLAND MAW, Executive Director, United Cook Inlet Drift Association, complemented Representative Moses for HB 26. He

noted that this bill was before the committee last year and there were concerns; he said that he is glad to see that some of the unforeseen consequences dealing with the rod and reel issue in the southeast have been accommodated. He said that he thinks the current bill is better than last year's similar bill.

MR. MAW remarked that setnetters, drifters, and seiners in the Upper Cook Inlet are involved in the Kenai Wild program, which involves icing and bleeding fish at the point of harvest. He said that this [level of care for the fish] makes quite a difference in the price that the fishermen are paid for the fish. He said that there are four grades of fish: premium, choice, select, and standard. He explained that the standard fish were previously known as "number ones", so the fishermen are "actually trying to put into the marketplace three ... grades of fish higher than the old number one". He commented that this means the fish have to go immediately from the net into a slush or icing, or they have to be bled, and that all takes time and effort. He explained that usually at the beginning and end of runs, having two or three people onboard is adequate, but during the peak of the run many boats are unable to accommodate the Kenai Wild program due to lack of crew. Therefore at the peak of the run the captain may need to add another crewmember or two to handle the fish to maintain the quality of the fish. He concluded that having the ability to add another crewmember for a few days is an important economic issue for the drift fleet, and possibly the beach sites as well.

MR. MAW noted that many fishermen have people on board their boats quite often and he stated that the experience of these people would be improved if they could help. He said that currently a person without a crewmember's license cannot touch the rigging on the boat and can't even tie the boat to the dock, so the short-term license would give fishermen some relief.

[8:52:13 AM](#)

MR. MAW commented that a lot of boats' skippers have U.S. Coast Guard certification, 100-ton masters licenses, insurance, and emergency position indicating radiobeacons (EPIRBS). He stated that he also supports the amendment to allow for three-day and five-day licenses. He referred to Section 5 of the bill which read in part:

The Department of Fish and Game may collect an additional administrative fee of \$3 for each one-day or three-day crewmember fishing license

MR. MAW asked if this \$3 was in addition to the \$30 and \$50 license fees, or if the fees included the \$3.

MR. BERG replied that the \$3 fee is an add-on just for 2005, assuming that the effective date is during this calendar year. The crewmember licenses have already been sent out to their vendors, so the \$3 is an administrative cost to help [the vendors] recover costs for the year.

[8:53:43 AM](#)

LARRY CALVIN, Sitka, Alaska, said that he is a commercial troller and the owner of the Fisherman's Quay in Sitka. He remarked that he has no interest in charging anyone to take them out fishing; he is, however, interested in the educational possibilities of the bill. He said:

I would encourage passage of this bill that would be one small step in the very difficult trail of educating the general population in the nuances of the salmon industry. Allowing people to have hands-on experience of catching, cleaning, and icing down fish is an occasion they will never forget and will pass their new insight on to others. My commercial fishing [began] ... 56 years ago. I've been involved in some degree through the years. I no longer fish hard and long hours, but I do enjoy taking people out and educating them in the different types of salmon and the proper care ... to provide quality fresh fish. This section of bill 26 will be an asset to our industry and provide a great experience for many people.

[8:55:21 AM](#)

ERIC JORDAN, Sitka, Alaska, stated that he is a lifelong Alaska resident and has been involved in the commercial fisheries his whole life. He noted that he has also done a little guiding and a lot of sport fishing. He said:

I really want to thank Representative Moses and his staff, particularly his aide, Adam Berg, for working with me. I had some concerns about this bill, particularly in regard to the loophole it opened up for use of rod and reel, especially in the southeast hand troll fisheries to basically circumvent the needs

to buy sport fish licenses and also the sport fish limits. And I think the language that Representative Moses and Adam have worked out really solves that problem and I greatly appreciate it. I support the bill as written. I have a couple of comments. In Southeast Alaska, in our high quality troll fisheries, the duration of our trips is usually ... three to five days, and a three-day permit, ... if we're out four-days, would not allow a person to go on one trip, whereas a five or six day license or even a seven-day license would permit that. So you might think of extending that ..., something that would allow us to take people for one trip, on the duration of it. Otherwise I really like the bill; I like what it does on the educational aspect. I'm really glad to see our gillnet friends starting to chill and bleed their fish; of course we've been doing that a long time in the troll fishery. I've also been an educator for a long time and taking people out to see the take we take of our high quality Alaska salmon is nothing but good for us. So I think this bill serves to accommodate people, ... promotes our industry, and educates the public as to the high quality of Alaska salmon.

[8:58:09 AM](#)

LIZ CHASE, Kenai, Alaska, stated that she is commercial fisherman on the Kenai Peninsula and she supports HB 26. She said that for the last five years she has been running a free tour to educate tourists on the peninsula. She said that many of them ask if they can come on the boat but they can't, and she has to explain the high cost of crew licenses to have them legally board the boat. She said that she would also support having the short-term license extended to one week.

[8:59:32 AM](#)

CO-CHAIR LEDOUX closed public testimony and turned to the committee for discussion.

REPRESENTATIVE WILSON commented that in southeast a fishing trip is often about seven days, so it would be nice if the short-term licenses covered that time.

CO-CHAIR LEDOUX remarked that the committee might wish to get some input from Alaska Department of Fish and Game (ADF&G).

REPRESENTATIVE SALMON stated that since a number of people suggested that the proposed short-term license be extended, perhaps the committee should do so. He said that he thinks it would be good experience for the children [to go short-term fishing].

[9:01:09 AM](#)

CO-CHAIR LEDOUX asked if there was anyone from ADF&G at the meeting who would be available to comment.

GERON BRUCE, Deputy Director, Commercial Fisheries Division, Alaska Department of Fish and Game, remarked:

This bill ... would provide some benefits to the commercial fishing industry and the department is supportive of anything that will move the industry forward towards more a profitable condition, and enhance appreciation for the product that it produces. ... We're very supportive of what the legislation is trying to accomplish.

MR. BRUCE, in response to Representative LeDoux, replied that the department doesn't have a strong position on the length of the license. He noted that he would advise the committee to consider the cost of the existing licenses and provide some kind of balance. If it is the legislature's decision to make the license good for seven days rather than three, he said that the department has no problem with it.

[9:02:39 AM](#)

CO-CHAIR LEDOUX asked if it would be feasible to have licenses for three, five, or seven days. Additionally, she asked what would happen if a trip lasted longer than anticipated.

MR. BRUCE remarked that he thought such a program would be difficult to administer by the department, and some problems for U.S. Fish and Wildlife Protection too. He stated that he would prefer that the committee set a limit that would accommodate most trips and have [a law] that is clear and consistent.

[9:03:40 AM](#)

CO-CHAIR THOMAS asked for Mr. Bruce's opinion of having three short-term licenses: three-day, five-day, and seven-day

licenses. When he goes fishing, he explained, it takes at least a day to get to and from a fishing site, and five days would not be enough to complete the trip.

MR. BRUCE stated that the department will implement whatever the legislature decides. He remarked that it could be administratively complex [to have three different types of short-term licenses]. Because the licenses are sold through vendors, the more licenses to be sold, the cost rises. He recommended that, from an administrative standpoint, the fewer the options the better.

[9:05:39 AM](#)

CO-CHAIR LEDOUX stated that she is open to considering another amendment that would further change the lengths of the licenses.

REPRESENTATIVE ELKINS suggested that the committee make the following conceptual amendment: under Section 3, add another option of a seven-day license for a \$75 fee. This way there will be three options for short-term licenses.

MR. BRUCE stated that the department could accommodate three options; however, he pointed out that the annual resident crewmember license is \$60, so if a short-term licenses costs more than that, a resident will not be interested in it.

CO-CHAIR LEDOUX remarked that this bill impacts nonresidents more than residents since there isn't much of a cost difference for the residents.

CO-CHAIR THOMAS commented that, during the peak fishing season, the locals are usually already burned out and therefore captains will pick up "somebody that's drifting through town, that's backpacking Alaska and wants to go out and have this experience."

[9:08:23 AM](#)

REPRESENTATIVE SALMON stated that since the annual crewmember license costs \$60, it seemed appropriate to have a seven-day short-term license costing \$30. He commented that weather delays can be problematic in Alaska.

REPRESENTATIVE WILSON said that maybe there could be only one short-term license option, and "if they happen to go out one day or if they happen to go out seven days, that won't make any

difference; that will give them that option. It would probably be a lot easier for [ADF&G] to administer, and it would just be easier all around."

CO-CHAIR THOMAS opined that it would be a good idea to offer a seven-day license for \$35.

[9:11:17 AM](#)

CO-CHAIR LEDOUX withdrew Conceptual Amendment 1 and offered Conceptual Amendment 2 to "change this bill to read, 'seven days, \$35'". [HB 26 was held over and Conceptual Amendments 1 and 2 were not addressed at the subsequent committee meeting.]

ADJOURNMENT

There being no further business before the committee, the House Special Committee on Fisheries meeting was adjourned at [9:11:49 AM](#).