

ALASKA STATE LEGISLATURE
HOUSE SPECIAL COMMITTEE ON FISHERIES

March 26, 2013
10:09 a.m.

MEMBERS PRESENT

Representative Paul Seaton, Chair
Representative Eric Feige
Representative Lynn Gattis
Representative Bob Herron
Representative Kurt Olson
Representative Jonathan Kreiss-Tomkins

MEMBERS ABSENT

Representative Craig Johnson

COMMITTEE CALENDAR

HOUSE BILL NO. 18

"An Act providing priority to personal use fisheries when fishing restrictions are implemented to achieve a management goal."

- HEARD & HELD

PREVIOUS COMMITTEE ACTION

BILL: HB 18

SHORT TITLE: PERSONAL USE FISHING PRIORITY

SPONSOR(S): REPRESENTATIVE(S) STOLTZE, HUGHES, KELLER

01/16/13	(H)	PREFILE RELEASED 1/7/13
01/16/13	(H)	READ THE FIRST TIME - REFERRALS
01/16/13	(H)	FSH, RES
03/26/13	(H)	FSH AT 10:00 AM CAPITOL 120

WITNESS REGISTER

BILL STOLTZE

Alaska State Legislature

Juneau, Alaska

POSITION STATEMENT: Introduced HB 18, as prime sponsor.

CHARLIE SWANTON, Director

Division of Sport Fish

Alaska Department of Fish & Game (ADF&G)

Juneau, Alaska

POSITION STATEMENT: Testified with official neutrality on HB 18, and responded to questions.

ACTION NARRATIVE

[10:09:56 AM](#)

CHAIR PAUL SEATON called the House Special Committee on Fisheries meeting to order at 10:09 a.m. Present at the call to order were Representatives Seaton, Gattis, Kreiss-Tomkins, Feige, Herron, and Olson.

HB 18-PERSONAL USE FISHING PRIORITY

[10:10:56 AM](#)

CHAIR SEATON announced that the only order of business would be HOUSE BILL NO. 18, "An Act providing priority to personal use fisheries when fishing restrictions are implemented to achieve a management goal."

[10:11:54 AM](#)

BILL STOLTZE, Alaska State Legislature, presented HB 18 stating that the subject of this bill has been introduced over multiple legislative sessions out of concern for the way in which some fisheries are being managed and the need to prioritize Alaskan resident fishing needs. The response by the Board of Fisheries (BOF), when escapement goals are not being met in the Susitna drainage area, is to lower the goals, which he opined is so non-sensible "they might as well make it zero." It is an issue that can wait no longer to be addressed despite perceptions that it may be legislative intrusion into the BOF process. He said that in a time of shortage Alaskan residents fishing for personal or subsistence use should be given first priority. The system in the Susitna region is broken, he stressed, which may not extend to other areas. He suggested that management of the Susitna area is based on a vestigial approach that was established prior to the population growth and use patterns that have changed dramatically. Allowing out of state fishermen a full catch yield is not fair to frustrated Alaskan fishermen, he stressed, and the BOF is indicating no expectation of changing the status quo management. He warned that Alaskans are reaching a boiling point, on this issue, and an initiative may be enacted by residents due to the absence of governmental action; a last

resort and imperfect method. The bill is straightforward and the intent is clear, though opposition is expected to come out in force.

[10:18:14 AM](#)

REPRESENTATIVE HERRON noted that the personal use fishery includes finfish, shellfish, and aquatic plants, and asked if the focus of the bill is primarily on finfish.

REPRESENTATIVE STOLTZE answered yes.

REPRESENTATIVE HERRON queried if the Alaska Department of Fish & Game (ADF&G) and the BOF are biased in allowing priority use of a fishery and possibly favoring commercial over personal use activity.

REPRESENTATIVE STOLTZE answered it is, and said there is little argument that ADF&G favors commercial fisheries; well over 90 percent in shared usage areas. Additionally, a Kenai based commercial fisheries group has filed suit in Washington, D.C., to close the personal use fisheries, through implementation of federal management, because they find it discriminates against out-of-state fishermen. He cautioned that there are background manipulations occurring, sponsored by interest groups that minimize exposure in industrial reporting publications, hence many people are not aware of the activities taking place.

[10:21:52 AM](#)

CHARLIE SWANTON, Director, Division of Sport Fish, Alaska Department of Fish & Game (ADF&G), said that because the bill has allocative overtones associated with it, the department takes a neutral stance.

[10:22:18 AM](#)

REPRESENTATIVE HERRON referred to an administrative code and the regulation which states, "allows any commercial fisherman to take unlimited amounts for personal use," and asked about the genesis of that regulation.

MR. SWANTON agreed to provide the information.

[10:23:09 AM](#)

REPRESENTATIVE FEIGE asked what guides the department in determining and to discriminate between personal and subsistence use.

MR. SWANTON responded that there is a chapter in Administrative Code 77 for how these two fisheries are discerned and agreed to provide a white paper summary to the committee, on request of Chairman Seaton.

[10:36:52 AM](#)

ADJOURNMENT

There being no further business before the committee, the House Special Committee on Fisheries meeting was adjourned at 10:36 a.m.