

ALASKA STATE LEGISLATURE
HOUSE SPECIAL COMMITTEE ON FISHERIES

February 4, 2020

11:07 a.m.

MEMBERS PRESENT

Representative Louise Stutes, Chair
Representative Bryce Edgmon
Representative Chuck Kopp
Representative Geran Tarr
Representative Sarah Vance
Representative Mark Neuman

MEMBERS ABSENT

Representative Jonathan Kreiss-Tomkins

COMMITTEE CALENDAR

HOUSE BILL NO. 203

"An Act relating to transportation of live crab."

- MOVED CSHB 203 (FSH) OUT OF COMMITTEE

HOUSE BILL NO. 185

"An Act relating to the registration of commercial vessels; and providing for an effective date."

- HEARD & HELD

PREVIOUS COMMITTEE ACTION

BILL: HB 203

SHORT TITLE: TRANSPORTATION OF LIVE CRAB

SPONSOR(S): REPRESENTATIVE(S) KNOPP

01/21/20	(H)	READ THE FIRST TIME - REFERRALS
01/21/20	(H)	FSH, RES
01/30/20	(H)	FSH AT 11:00 AM GRUENBERG 120
01/30/20	(H)	Heard & Held
01/30/20	(H)	MINUTE (FSH)
02/04/20	(H)	FSH AT 11:00 AM GRUENBERG 120

BILL: HB 185

SHORT TITLE: REGISTRATION OF BOATS: EXEMPTION

SPONSOR(S): REPRESENTATIVE(S) STUTES

01/21/20	(H)	PREFILE RELEASED 1/10/20
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01/21/20 (H) READ THE FIRST TIME - REFERRALS
01/21/20 (H) FSH, TRA
02/04/20 (H) FSH AT 11:00 AM GRUENBERG 120

WITNESS REGISTER

REPRESENTATIVE KNOPP
Alaska State Legislature
Juneau, Alaska

POSITION STATEMENT: As prime sponsor of HB 203, spoke to Amendment 1.

INTIMAYO HARBISON, Staff
Representative Gary Knopp
Alaska State Legislature
Juneau, Alaska

POSITION STATEMENT: Offered information during the hearing on HB 203 on behalf of Representative Knopp, prime sponsor.

MATT GRUENING, Staff
Representative Louise Stutes
Alaska State Legislature
Juneau, Alaska

POSITION STATEMENT: Presented HB 185 on behalf of Representative Stutes, prime sponsor.

ACTION NARRATIVE

[11:07:45 AM](#)

CHAIR LOUISE STUTES called the House Special Committee on Fisheries meeting to order at 11:07 a.m. Representatives Edgmon, Kopp, Vance, Neuman, and Stutes were present at the call to order. Representative Tarr arrived as the meeting was in progress.

HB 203-TRANSPORTATION OF LIVE CRAB

[11:08:55 AM](#)

CHAIR STUTES announced that the first order of business would be HOUSE BILL NO. 203, "An Act relating to transportation of live crab."

CHAIR STUTES noted that the committee had received word from the Environmental Health Division, within the Department of Environmental Conservation (DEC), stating that the division has

no issue with the proposed legislation. She further noted that an amendment to HB 203 was in the committee packet.

[11:09:42 AM](#)

REPRESENTATIVE KNOPP, Alaska State Legislature, as prime sponsor of HB 203, expressed gratitude for the amendment before the committee, Amendment 1, which was borne out of public feedback. He remarked that it is nice to carry a bill that is "virtually noncontroversial and broadly supported across the state from every industry." He said he thinks the proposed legislation would result in value added regarding the shipping of crab.

[11:10:29 AM](#)

CHAIR STUTES opened public testimony on HB 203. After ascertaining there was no one who wished to testify, she closed public testimony.

[11:10:53 AM](#)

REPRESENTATIVE EDGMON moved to adopt Amendment 1, labeled 31-LS1405\M.3, Klein, 1/31/20, which read as follows:

Page 1, lines 6 - 10:

Delete all material and insert:

"taken live [KING] crab, unless the crab have been landed in a port in the state and recorded on a fish ticket form prescribed by the department [SPECIES PARALITHODES CAMTSCHATICA, LIVE DUNGENESS CRAB, SPECIES CANCER MAGISTER, OR LIVE TANNER CRAB, SPECIES CHIONOECETES BAIRDI, EXCEPT THAT ALL OF THESE SPECIES MAY BE SHIPPED LIVE VIA AIR FREIGHT AFTER PRE-PACKAGING]."

Page 1, lines 11 - 12:

Delete "Dungeness crab, species Cancer magister,"

Insert "[DUNGENESS] crab [, SPECIES CANCER MAGISTER,]"

Page 1, line 15:

Delete "Dungeness"

Insert "[DUNGENESS]"

REPRESENTATIVE EDGMON explained that Amendment 1 would add more specific information on species. He deferred to the bill sponsor to provide further information.

[11:11:24 AM](#)

CHAIR STUTES objected to the motion to adopt Amendment 1, for purposes of discussion.

[11:11:37 AM](#)

REPRESENTATIVE KNOPP noted concerns expressed by the Department of Public Safety (DPS) regarding language potentially becoming misconstrued. He said the department initially recommended repealing the entire statute; however, he recommended listing the scientific names of three species "and what used to be exempt" for the purpose of preserving the ability of the Department of Environmental Conservation (DEC) to do paralytic shellfish poisoning (PSP) testing.

[11:12:28 AM](#)

INTIMAYO HARBISON, Staff, Representative Gary Knopp, Alaska State Legislature, related that Amendment 1 would remove restriction on all crab species for the purpose of testing as well as expansion of future industry.

[11:13:00 AM](#)

CHAIR STUTES removed her objection. There being no further objection, Amendment 1 was adopted.

[11:13:19 AM](#)

The committee took a brief at-ease at 11:13 a.m.

[11:13:54 AM](#)

REPRESENTATIVE EDGMON moved to report HB 203, as amended, out of committee with individual recommendations and the accompanying fiscal notes. There being no objection, CSHB 203 (FSH) was reported out of the House Special Committee on Fisheries.

[11:13:00 AM](#)

The committee took an at-ease from 11:14 a.m. to 11:16:11 a.m.

HB 185-REGISTRATION OF BOATS: EXEMPTION

[11:16:11 AM](#)

CHAIR STUTES announced that the final order of business would be HOUSE BILL NO. 185, "An Act relating to the registration of commercial vessels; and providing for an effective date."

[11:16:38 AM](#)

The committee took an at-ease from 11:16 a.m. to 11:17 a.m.

[11:16:38 AM](#)

CHAIR STUTES, as prime sponsor, explained that HB 185 would exempt active commercial fishing vessels that already have been registered with the state from having to be registered a second time with the Division of Motor Vehicles (DMV), thus eliminating additional cost and frustration.

[11:18:40 AM](#)

MATT GRUENING, Staff, Representative Louise Stutes, Alaska State Legislature, presented HB 185 on behalf of Representative Stutes, prime sponsor. He explained vessel documentation, a very old form of documentation, which includes but is not limited to evidence of ownership and is one of the first functions of the federal government. He said HB 185 would exempt active fishing vessels from duplicative registration requirements created by passage of Senate Bill 92 [passed during the Thirtieth Alaska State Legislature], removing requirements for current Commercial Fisheries Entry Commission (CFEC)-licensed vessels to be registered every three years with the DMV at a \$24.00 fee.

MR. GRUENING pointed out that prior to 2018, United States Coast Guard (USCG)-documented vessels were exempt from DMV registration. That exemption was repealed with Senate Bill 92 and, as a result, larger vessels fell under DMV's purview. The aim behind Senate Bill 92 in 2018, aside from providing the state and municipalities additional tools for dealing with derelict vessels, was to ensure that vessels operated in Alaska waters were registered with the state, that the state would be aware who owns and operates those vessels, and that the state would know how to get ahold of those owners and operators and hold them accountable in the event of a vessel's becoming derelict.

MR. GRUENING said Senate Bill 92 overlooked the existing licensing process for CFEC, whose vessel licensure requires

annual renewal and already provides the necessary ownership and contact information in a publicly accessible state database. He added that commercial fishing vessels are the backbone of Alaska's most vital industry, and with very few exceptions, all commercial fishing vessels, including tenders, processors, and transporters engaged in commercial fishing in Alaska waters are required to be under CFEC licensure. The exceptions are primarily limited to setnet skiffs. The licensing statute for commercial fishing vessels in Alaska states that as a condition of delivery or landing fish, a license is required for a commercial vessel. The CFEC licensed 8,806 vessels in 2019 for a total of \$629,052 in licensing fees. The commission's license forms require quite a bit of ownership and contact information.

11:23:30 AM

MR. GRUENING passed out CFEC vessel license application, request for duplicate license, and license change of information forms to the committee with requirements for proving ownership highlighted. The CFEC licensing vessel forms are also located on the Alaska Legislature's Bill Action & Status Inquiry System (BASIS), he pointed out. On page 1 of the vessel licensing form, under penalty of perjury, the applicant must identify the legal owner, contact person, the owner's mailing and permanent address, social security number, phone number, date of birth, and email address. If the vessel is new to the individual or fisheries and thus does not have an Alaska Department of Fish and Game (ADF&G) number, then the applicant must submit a current copy of the vessel's USCG documentation for the state registration to the CFEC and fill out an additional vessel history section on page 2. This section includes where and when the vessel was purchased, from whom, the numbers issued in another state for which the vessel fished, and other questions about the vessel's lineage and history.

MR. GRUENING let the committee know that every year the same information needs to be verified and signed. Intentionally providing false information is punishable by up to a year in prison and/or \$25,000 fine and subjects the permit holder to a suspension of fishing privileges or possible revocation of permit. He emphasized that there are few people who are being dishonest on these forms, particularly when taken into consideration how expensive the vessels and permits are. An additional layer of assurance for vessel provenance is that to even have a vessel in the first place, one must first be a valid permit holder: hold an Alaskan fishing permit, register that through the CFEC, and then get the vessel license.

[11:26:38 AM](#)

MR. GRUENING passed to the committee an example of the decal to be displayed on a vessel, which is issued every year by CFEC. The metal plate to be permanently affixed to the vessel was also explained to the committee. More specifics about registering vessels with CFEC, and the correct way to display said registration, were explained. Mr. Gruening reiterated that HB 185 removes a duplicative registration requirement created by the passage of Senate Bill 92 by exempting aforementioned vessels with valid CFEC licenses from having to be registered every three years with the DMV. Owners of active commercial fishing vessels already must renew their registration annually, so the moment CFEC registration is no longer valid they would be required to register with the DMV. Not a free pass for life for commercial fishing boats, HB 185 would be a one-year exemption for active businesses that have renewed that year.

[11:29:21 AM](#)

MR. GRUENING let committee members know that a copy of the proposed legislation was provided to the Alaska Association of Harbormasters and Port Administrators (AAHPA); the association submitted a letter of non-opposition to the bill. He encouraged members to read the letter, as well as Senate Bill 92, to reference changes that would be made under HB 185. Letters of support came from United Fishermen of Alaska, Cordova District Fishermen United, United Southeast Alaska Gillnetters Association, and Alaska Bering Sea Crabbers, as well as from individuals.

[11:31:13 AM](#)

REPRESENTATIVE KOPP suggested he should declare a conflict [of interest] as a commercial fisherman in Bristol Bay. At the invitation of Chair Stutes, he asked for clarification regarding setnet registration exemption.

[11:32:33 AM](#)

REPRESENTATIVE VANCE asked whether the DMV has a required decal for law officers for purposes of identification related to non-CFEC vessels.

[11:32:22 AM](#)

MATT GRUENING answered that since House Bill 108 in May of 2000 [passed during the Twenty-first Alaska State Legislature] all undocumented vessels, CFEC-registered or not, had been required to be registered through the DMV. The way HB 185 is currently written with the exemption being broad and applying to all CFEC vessels, some of which are undocumented, rolls back a pre-Senate Bill 92 requirement for a small segment of CFEC vessels that previously had to be registered with the DMV. The same rationale exists for exempting CFEC-undocumented vessels as documented; both fill out the same information through the same license renewal process with the CFEC. Further, there was a titling requirement created in Senate Bill 92, which states those undocumented vessels also have to title. Exempting the undocumented CFEC vessels rolls back a pre-Senate Bill 92 requirement on a smaller subset of fishing vessels and would reduce some fees. Mr. Gruening posited that having documentation tied to CFEC registration does make sense, and for this reason sought to make the committee aware that the way the bill is currently drafted applies to all CFEC vessels, which does exempt a small amount of undocumented vessels, which are those vessels less than five net tons.

MR. GRUENING mentioned in closing that the committee could choose to offer an amendment to clarify that HB 185 would apply to documented CFEC vessels.

[11:35:30 AM](#)

CHAIR STUTES stated that HB 185 would remove an unnecessary burden placed on Alaskans. She added that it is her hope to move HB 185 at the next hearing. Furthermore, she said that she would consider the clarifying amendment and would confer with the committee before the next meeting, at which both public and invited testimony would be allowed.

[HB 185 was held over.]

[11:36:54 AM](#)

ADJOURNMENT

There being no further business before the committee, the House Special Committee on Fisheries meeting was adjourned at 11:36 a.m.