

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

February 6, 2020  
11:05 a.m.

**MEMBERS PRESENT**

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

**MEMBERS ABSENT**

Representative Jonathan Kreiss-Tomkins  
Representative Sarah Vance

**COMMITTEE CALENDAR**

HOUSE BILL NO. 185

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

- MOVED CSHB 185 (FSH) OUT OF COMMITTEE

HOUSE BILL NO. 218

"An Act relating to salt water sport fishing operators and salt water sport fishing guides; and providing for an effective date."

- HEARD & HELD

**PREVIOUS COMMITTEE ACTION**

BILL: HB 185

SHORT TITLE: REGISTRATION OF BOATS: EXEMPTION

SPONSOR(S): REPRESENTATIVE(S) STUTES

01/21/20	(H)	PREFILE RELEASED 1/10/20
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
02/04/20	(H)	Heard & Held
02/04/20	(H)	MINUTE (FSH)
02/06/20	(H)	FSH AT 11:00 AM GRUENBERG 120

BILL: HB 218

SHORT TITLE: SALT WATER FISHING: OPERATORS/GUIDES

SPONSOR(S): RULES BY REQUEST OF THE GOVERNOR

01/27/20 (H) READ THE FIRST TIME - REFERRALS  
01/27/20 (H) FSH, RES, FIN  
02/06/20 (H) FSH AT 11:00 AM GRUENBERG 120

**WITNESS REGISTER**

RICHARD DAVIS, Governor  
Seafood Producers Cooperative  
Juneau, Alaska

**POSITION STATEMENT:** Testified in support of HB 185.

RACHEL LORD, Executive Secretary  
Alaska Association of Harbormasters & Port Administrators  
(AAHPA)  
Homer, Alaska

**POSITION STATEMENT:** Offered testimony on HB 185.

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

**POSITION STATEMENT:** Offered an explanation on Amendment 1 to HB 185, on behalf of Representative Stutes, prime sponsor.

DOUG VINCENT-LANG, Commissioner  
Alaska Department of Fish & Game (ADF&G)  
Juneau, Alaska

**POSITION STATEMENT:** Presented HB 218 on behalf of the House Rules Committee, by request of the governor.

**ACTION NARRATIVE**

[11:05:41 AM](#)

**CHAIR LOUISE STUTES** called the House Special Committee on Fisheries meeting to order at 11:05 a.m. Representatives Stutes, Kopp, Tarr, and Neuman were present at the call to order. Representative Edgmon arrived as the meeting was in progress.

**HB 185-REGISTRATION OF BOATS: EXEMPTION**

[11:06:25 AM](#)

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

[11:07:00 AM](#)

CHAIR STUTES opened public testimony on HB 185.

[11:07:45 AM](#)

RICHARD DAVIS, Member, Seafood Producers Cooperative, testified in support of HB 185. He stated that he is a 43-year member of a fishermen's cooperative consisting of approximately 500 Alaska commercial fishermen and boat owners, over 200 of which are documented vessel owners. He said the cooperative was formed in 1945 and is the largest and longest surviving fishermen's cooperative in North America. He expressed that the cooperative would like to expressly thank the sponsor of HB 185 and encourage the passage of the bill, and it supports any lawmakers that would assist in its passage.

[11:09:11 AM](#)

RACHEL LORD, Executive Secretary, Alaska Association of Harbormasters & Port Administrators (AAHPA), offered testimony on HB 185. She stated that since the late 1970s, the AAHPA has worked to connect harbormasters, port directors, port and harbor staff, engineers, fabricators, and others from the marine support industries from around Alaska's working waterfronts, to support and improve port and harbor facilities to the benefit of every fleet. She explained that the AAHPA represents 42 ports and harbors throughout Alaska and over 60 companies from related support industries. She said that from 2014 to 2016 she was the facilitator of the statewide Ad-hoc Derelict Vessel Taskforce, which worked with local, state, and federal governments, as well as private stakeholders, to address the issue of derelict vessels in Alaska's public waters. She stated that the taskforce's work was the underpinning of Senate Bill 92 [passed during the Thirtieth Alaska State Legislature in 2018].

MS. LORD explained that at an annual meeting this past October, the AAHPA membership and board of directors passed a resolution supporting automatic registration of Commercial Fisheries Entry Commission (CFEC) vessels with the Division of Motor Vehicles (DMV). She stated that while the AAHPA does not oppose HB 185, it still believes it is most prudent and reasonable to reduce

bureaucratic burden, while still maintaining a single database of vessel ownership, at the DMV, for vessels operating primarily in Alaska's waters. She likened this to the registration of commercial and recreational boat trailers and vehicles on public roads. As an example, she stated that if an individual owns and operates a commercial vehicle, he/she is required to have an additional commercial permit; however, this does not exempt that individual from the state's DMV registration requirements. She explained that every working vessel will one day see an end to its useful life, just like a car or a truck. She summarized that the AAHPA desires to balance that reality with the desire to reduce paperwork and burden; therefore, it believes that it is most prudent for the state to provide for automatic DMV registration when applying for a CFEC permit.

[11:11:27 AM](#)

CHAIR STUTES, after ascertaining that there was no one else who wished to provide testimony, closed public testimony on HB 185.

[11:11:37 AM](#)

REPRESENTATIVE KOPP moved to adopt [Amendment 1], labeled 31-LS1250\M.1, Klein, 1/31/20, which read as follows:

Page 2, following line 16:

Insert a new bill section to read:

**\*\* Section 1.** AS 05.25.056(a) is amended to read:

(a) Except as provided under (f) of this section, the owner of an undocumented boat subject to registration in this state under AS 05.25.055, or exempt from registration under AS 05.25.055(i)(7), shall apply to the Department of Administration for a certificate of title for the boat."

Renumber the following bill sections accordingly.

[11:11:44 AM](#)

CHAIR STUTES objected to the motion, for the purpose of discussion.

[11:11:54 AM](#)

MATT GRUENING, Staff, Representative Louise Stutes, Alaska State Legislature, offered an explanation on Amendment 1 to HB 185, on behalf of Representative Stutes, prime sponsor. He stated that

it would clarify that an undocumented CFEC registered vessel is exempt from registration with the DMV but would still be required to be titled with the DMV. He explained that it was never the bill sponsor's intention for HB 185 to exempt those vessels from titling, only to make them exempt from registration. He said it makes sense to require CFEC registration in conjunction with either a DMV title or United States Coast Guard (USCG) documentation; however, having the CFEC be the only agency responsible for tracking small undocumented vessels seems slightly excessive. He pointed out that the title will require a one-time fee of \$20. Mr. Gruening cited page 3, line 10, of Senate Bill 92 [included in the committee packet], which requires undocumented vessels subject to registration under AS 05.25.055 to apply for a title. He explained that the proposed amending of AS 05.25.055(i), under HB 185, would inadvertently remove the requirement from Senate Bill 92 to title undocumented CFEC registered vessels, which was not the intent of the bill sponsor of HB 185. He explained that adding the wording "or exempt from registration under AS 05.25.055(i)(7)" would clarify that those vessels are exempt from DMV registration but will continue to title through the DMV.

[11:13:41 AM](#)

CHAIR STUTES removed her objection to the motion to adopt Amendment 1. There being no further objection, Amendment 1 was adopted.

[11:14:00 AM](#)

CHAIR STUTES stated that she thinks HB 185, [as amended], is a good bill that would remove duplicative registration requirements on commercial fishing vessels. She expressed that she thinks Amendment 1 would strengthen the bill for tracking undocumented CFEC vessels. She summarized that HB 185, [as amended] streamlines preparations for the fishing season, while still collecting needed data on vessel ownership for the state's database.

[11:14:42 AM](#)

REPRESENTATIVE EDGMON moved to report HB 185, as amended, out of committee with individual recommendations and the accompanying fiscal notes. There being no objection, CSHB 185(FSH) was reported from the House Special Committee on Fisheries.

[11:15:03 AM](#)

The committee took an at-ease from 11:15 a.m. to 11:17 a.m.

**HB 218-SALT WATER FISHING: OPERATORS/GUIDES**

[11:17:24 AM](#)

CHAIR STUTES announced that the final order of business would be HOUSE BILL NO. 218, "An Act relating to salt water sport fishing operators and salt water sport fishing guides; and providing for an effective date."

[11:18:44 AM](#)

DOUG VINCENT-LANG, Commissioner, Alaska Department of Fish & Game (ADF&G), presented HB 218 on behalf of the House Rules Committee, by request of the governor. He explained that the bill would reinstitute saltwater sport fishing guide and operator licensing standards, saltwater guide and operator fees, and logbook reporting requirements for saltwater guides. The logbook data provided by saltwater fishing guides provides critical information that informs in-season management. He said that the Board of Fisheries (BOF) management plans also benefit from updated and complete information. The data obtained through the logbook reporting requirements is critical for the ADF&G to successfully uphold its obligations under the Pacific Salmon treaty, as well as the International Pacific Halibut Commission "obligation treaties." He said the treaties require the state to issue logbooks and collect data; however, this mandate is not funded. He stated that HB 218 would reestablish licensees for saltwater sport fishing guide services to cover the cost of the mandated program. He explained that this program existed in the past, but it was a saltwater and freshwater program; there was a lot of controversy surrounding the freshwater portion of the program, which is not included in HB 218. The program proposed under HB 218 would only focus on the saltwater portion, which is mandated by treaty obligations.

[11:20:24 AM](#)

REPRESENTATIVE KOPP asked Commissioner Vincent-Lang whether he could clarify what the concerns surrounding the freshwater guide licensing logbooks were, and why a different course had been chosen.

[11:20:45 AM](#)

COMMISSIONER VINCENT-LANG replied that the main concern surrounding the freshwater portion of the program was that the ADF&G was requiring freshwater guides across the entire state to license with the state and maintain logbooks for fisheries that didn't need the management information in season. As an example, he pointed to the grayling fisheries in Bristol Bay and parts of Interior Alaska. He explained that the ADF&G wasn't using this information for in-season management purposes, and there were many questions as to why it was requiring information that wasn't being used and was duplicative of a statewide harvest survey being collected. In the areas where freshwater information is clearly needed, the ADF&G has freshwater survey programs in place and eliminated the statewide requirements for logbooks in those fisheries.

[11:21:40 AM](#)

CHAIR STUTES asked whether [the salt water portion] of the previous bill [program] sunsetted due to its connection to the freshwater logbooks [program].

COMMISSIONER VINCENT-LANG replied that when the bill's sunset clause came due for renewal, the freshwater portion of it became very controversial; rather than amending the bill at the end it was decided to just let the bill die. He explained that there wasn't much concern regarding the saltwater portion of the bill, but the freshwater portion "drug the whole thing down."

[11:22:20 AM](#)

REPRESENTATIVE NEUMAN asked how this bill might affect private boat owners that rent or lease their boats for recreational sport fishing.

COMMISSIONER VINCENT-LANG replied that there is a clearly defined definition of what a guide is, which is "accompanying an individual"; therefore, it would not affect the rental boat sector. In response to a follow up question, he clarified that this also applies to lodge owners who have boat rentals associated through the rental of rooms or additional fees.

REPRESENTATIVE NEUMAN remarked that he wanted these explanations on the record for any business owners, legislators, or other people who may be listening to the meeting. He referred to Cook Inlet and its "16 tributaries of stocks of concern," and he noted that "we're getting rid of the weirs in pretty much all of

the state for in-season management tools." He asked how the ADF&G would use guide logbooks to help areas that do not currently have any in-season management.

COMMISSIONER VINCENT-LANG replied that the ADF&G would have an accurate counting of the guided saltwater harvests through this program. As an example, he said the ADF&G would know the saltwater portion of the king salmon harvest but would not know the freshwater portion of that harvest. He explained that to the extent that the ADF&G sees that this information is needed, it will investigate alternative methods for obtaining that information for freshwater fisheries.

[11:25:05 AM](#)

REPRESENTATIVE NEUMAN asked Commissioner Vincent-Lang whether he thinks the ADF&G will be able to keep the logbooks up to date so that the information can be used for real-time management.

COMMISSIONER VINCENT-LANG answered that the ADF&G already has an electronically formatted program in Southeast Alaska; currently it is seeing a 5- to 10-percent compliance rate. He expressed that it is the desire of the ADF&G to make these logbooks electronic to the extent possible for timely in season management; he noted that there are some remote locations where this will not be possible. He summarized that the information is currently being processed, in season, to inform management decisions for saltwater fisheries.

REPRESENTATIVE NEUMAN asked how long a delay there is from when the information is recorded to when the ADF&G receives it.

COMMISSIONER VINCENT-LANG replied that it takes approximately a week and a half for the ADF&G to receive the logbooks. He explained that in Southeast Alaska that time frame is short enough to meet the treaty mandate obligations; however, he reiterated that the ADF&G is looking for ways to speed the process up through electronic means.

[11:27:20 AM](#)

CHAIR STUTES announced that HB 218 would be held over for further consideration.

[11:27:42 AM](#)

## **ADJOURNMENT**

There being no further business before the committee, the House Special Committee on Fisheries meeting was adjourned at 11:28 a.m.