

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

April 4, 2024

10:06 a.m.

**MEMBERS PRESENT**

Representative Sarah Vance, Chair  
Representative Kevin McCabe  
Representative Ben Carpenter  
Representative Louise Stutes  
Representative Rebecca Himschoot

**MEMBERS ABSENT**

Representative CJ McCormick  
Representative Craig Johnson

**COMMITTEE CALENDAR**

HOUSE BILL NO. 297

"An Act establishing the sport fishing angler access account; establishing the sport fishing angler access surcharge; and providing for an effective date."

- HEARD & HELD

HOUSE BILL NO. 294

"An Act relating to electronic monitoring of fishing vessels; and providing for an effective date."

- HEARD & HELD

**PREVIOUS COMMITTEE ACTION**

BILL: HB 297

SHORT TITLE: SPORT FISHING ANGLER ACCESS ACCT/SURCHARG

SPONSOR(S): RULES BY REQUEST OF THE GOVERNOR

01/26/24	(H)	READ THE FIRST TIME - REFERRALS
01/26/24	(H)	FSH, FIN
03/21/24	(H)	FSH AT 10:00 AM GRUENBERG 120
03/21/24	(H)	-- MEETING CANCELED --
04/02/24	(H)	FSH AT 10:00 AM GRUENBERG 120
04/02/24	(H)	Heard & Held
04/02/24	(H)	MINUTE(FSH)
04/04/24	(H)	FSH AT 9:00 AM GRUENBERG 120

BILL: HB 294

SHORT TITLE: ELECTRONIC MONITORING OF FISHING VESSELS

SPONSOR(S): RULES BY REQUEST OF THE GOVERNOR

01/26/24	(H)	READ THE FIRST TIME - REFERRALS
01/26/24	(H)	FSH, FIN
03/21/24	(H)	FSH AT 10:00 AM GRUENBERG 120
03/21/24	(H)	-- MEETING CANCELED --
04/02/24	(H)	FSH AT 10:00 AM GRUENBERG 120
04/02/24	(H)	Heard & Held
04/02/24	(H)	MINUTE (FSH)
04/04/24	(H)	FSH AT 9:00 AM GRUENBERG 120

**WITNESS REGISTER**

DOUG VINCENT-LANG, Commissioner  
Department of Fish and Game  
Juneau, Alaska

**POSITION STATEMENT:** Answered questions on HB 297 and HB 294, on behalf of House Rules by request of the governor.

JOSEPH FELKL, Legislative Liaison  
Department of Fish and Game  
Juneau, Alaska

**POSITION STATEMENT:** Answered questions on HB 297, on behalf of House Rules by request of the governor.

JERRY MCCUNE, representing self  
Cordova, Alaska

**POSITION STATEMENT:** Provided public testimony in opposition to HB 294.

ERNIE WEISS, Director  
Natural Resources  
Aleutians East Borough  
Anchorage, Alaska

**POSITION STATEMENT:** Provided public testimony on HB 294.

CHRIS CLEMENS, Board Member  
Concerned Area M Fishermen  
Seward, Alaska

**POSITION STATEMENT:** Provided public testimony in opposition to HB 294.

BOB MURPHY, Executive Director  
Concerned Area M Fisherman

Kodiak, Alaska?

**POSITION STATEMENT:** Provided public testimony in opposition to HB 294.

KATHY HANSEN, Executive Director  
Southeast Alaska Fishermen's Alliance  
Juneau, Alaska

**POSITION STATEMENT:** Provided public testimony on HB 294.

JARED DANIELSON, representing self  
Port Moller, Alaska

**POSITION STATEMENT:** Provided public testimony in opposition to HB 294.

DARIN GILMAN, representing self  
Cordova, Alaska

**POSITION STATEMENT:** Provided public testimony in opposition to HB 294.

DAVID POLUSHKIN, representing self  
Wasilla, Alaska

**POSITION STATEMENT:** Provided public testimony in opposition to HB 294.

#### **ACTION NARRATIVE**

[10:06:51 AM](#)

**CHAIR SARAH VANCE** called the House Special Committee on Fisheries meeting to order at 10:06 a.m. Representatives Stutes, Himschoot, McCabe, Carpenter, and Vance were present at the call to order.

#### **HB 297-SPORT FISHING ANGLER ACCESS ACCT/SURCHARGE**

[10:07:44 AM](#)

CHAIR VANCE announced that the first order of business would be HOUSE BILL NO. 297, "An Act establishing the sport fishing angler access account; establishing the sport fishing angler access surcharge; and providing for an effective date."

[10:07:47 AM](#)

CHAIR VANCE opened public testimony. After ascertaining that there was no one who wished to testify, she closed public testimony.

[10:09:56 AM](#)

REPRESENTATIVE STUTES expressed the opinion that the fees associated with HB 297 would be reasonable.

REPRESENTATIVE MCCABE expressed the intention to offer an amendment to add \$1 to the \$4 surcharge, so an economic impact study could be done. He argued that [an impact study on sport fish] has not been done in over 20 years, and Alaska needs to know what has happened since the COVID-19 pandemic. He stressed that the state needs the data so there could be a logical debate. In response to a question from Representative Stutes, he stated that the Alaska Department of Fish and Game (ADF&G) should do this. He suggested that it would be better coming from ADF&G than an industry group, and it should be funded through sport fish licenses.

REPRESENTATIVE HIMSCHOOT posed a hypothetical for a possible sport fish study, and she questioned whether increasing the fee by \$1 would be the correct mechanism.

[10:12:57 AM](#)

DOUG VINCENT-LANG, Commissioner, Department of Fish and Game, answered questions on HB 297, on behalf of House Rules by request of the governor. He responded that there have been many requests for an updated study on sport fish, but there has been no funding. He suggested that the funding [from the proposed fee increase] would need to be built up over a few years, as some of the work would need to be contracted out. In response to a follow up question, he expressed the intention to build up the funding over time, so the survey could be periodically conducted.

[10:14:29 AM](#)

CHAIR VANCE pointed out that the proposed legislation does not have a sunset date. She referenced the sunset of a previous hatchery surcharge and questioned the justification for the proposed legislation not having a sunset date. She questioned the cost of a sport fish license when the hatchery surcharge had been in effect.

COMMISSIONER VINCENT LANG responded that the hatchery surcharge was created to pay off a bond, and it was calculated for this. Per statute, once the bond was paid off, the surcharge went

away; therefore, it was not a sunset date. He stated that given the license sells, the bond was paid off earlier than thought. He explained that the proposed legislation does not have a sunset clause because angler access funding would still be needed in the future.

CHAIR VANCE reiterated the question on the cost of a sport fish license when the hatchery surcharge had been in effect.

[10:16:01 AM](#)

JOSEPH FELKL, Legislative Liaison, Alaska Department of Fish and Game, answered questions on HB 297, on behalf of House Rules by request of the governor. He responded that the hatchery surcharge amount had been an additional \$5, so the fee for an annual resident sport fish license was \$29. In response to a follow-up question, he stated that the fee is now less than what residents had paid while there was a hatchery surcharge.

[10:16:33 AM](#)

REPRESENTATIVE MCCABE questioned how the cost of fishing licenses in Alaska compares with other states.

COMMISSIONER VINCENT-LANG responded that Alaskan residents "get a fairly good deal." He expressed the opinion that the state probably does not have the lowest cost, but it is low.

CHAIR VANCE questioned the fact that individuals from the Yukon in Canada pay the same sport fishing license fees as resident Alaskans. She questioned this reasoning.

COMMISSIONER VINCENT-LANG responded that this has been in effect for a long time in a "friendship effort" with the Yukon government. He explained that the reasoning is because the Yukon Territory is landlocked with no access to marine waters.

CHAIR VANCE questioned if it is known how many Canadians utilize the license. She expressed the understanding there have been concerns in Southeast Alaska that the fisheries are being abused. She questioned if there is any up-to-date justification for the fees the Yukoners receive. She pointed out that there is a responsibility by the legislature to put Alaskans first.

COMMISSIONER VINCENT-LANG responded that the number of these permits could be provided. He estimated that there are around 35,000 Yukoners, but not everyone comes to Alaska to fish. He

approximated that there are around 100 permits annually. He expressed the opinion that these permits are not affecting conservation, and he added that this is not allowed for personal-use fishing.

CHAIR VANCE questioned whether Alaskans receive any reciprocal benefits.

COMMISSIONER VINCENT-LANG stated that negotiations on this have been opened. In response to a follow-up question, he stated that Canadians have had this benefit for around 20 years.

[10:21:00 AM](#)

REPRESENTATIVE STUTES questioned what is considered "marine fishing."

COMMISSIONER VINCENT LANG responded that "marine fishing" is sport fishing that occurs in marine waters.

[10:21:37 AM](#)

CHAIR VANCE announced that HB 297 was held over.

**HB 294-ELECTRONIC MONITORING OF FISHING VESSELS**

[10:21:43 AM](#)

CHAIR VANCE announced that the final order of business would be HOUSE BILL NO. 294, "An Act relating to electronic monitoring of fishing vessels; and providing for an effective date."

[10:21:52 AM](#)

CHAIR VANCE opened public testimony on HB 294.

[10:22:08 AM](#)

JERRY MCCUNE, representing self, gave public testimony in opposition to HB 294. He shared that he is a commercial fisherman in the Cordova area. Noting the high cost of equipment for electronic monitoring, he suggested that this would cost more money than his net income from last year. He also argued that the Board of Fisheries members do not truly represent the fisheries, so any one of these members can put a proposal forward. He noted that currently there are no 12-volt outdoor cameras available on the market. He stated that as a

small boat owner, he is in opposition to the proposed legislation.

[10:24:01 AM](#)

ERNIE WEISS, Director, Natural Resources, Aleutians East Borough, stated that his main objective in providing testimony is to bring attention to a letter submitted to the committee from his colleague, Charlotte Levy. He stated that she is a fisheries analyst. He urged the committee to read the letter, as she has been very instrumental in a project to bring electronic monitoring to small vessels in the federal Western Gulf fishery for groundfish. He noted that currently she is out of the country, or she would be testifying. He expressed the opinion that she has expertise, as the project was extremely involved and costly. He stated that she works with the North Pacific Fisheries Observer Program and North Pacific Management Council, and she has important insights.

[10:25:29 AM](#)

CHRIS CLEMENS, Board Member, Concerned Area M Fishermen, provided public testimony in opposition to HB 294. He stated that he is a commercial fisherman in Area M, arguing that the cost for electronic monitoring in this area would be too high. He questioned how the footage would be monitored and how the equipment would be maintained. He pointed out that there are state troopers who provide enforcement in the area.

[10:26:58 AM](#)

BOB MURPHY, Executive Director, Concerned Area M Fisherman, provided public testimony on behalf of the members of Concerned Area M Fisherman. He stated that these members represent between 95 to 115 limited entry permit holders, and they represent around 80 percent of the active drift gill net fleet in Area M. He noted that the organization has been involved with ADF&G and in the regulatory processes with the Board of Fisheries. He expressed opposition to the proposed legislation because of the cost. Because of low fish prices, he stated that there are struggles in the seafood industry and with commercial fishermen. He expressed the opinion that electronic monitoring is cost prohibitive and would not better the management of the fisheries. He noted problems, such as privacy issues and camera malfunctions, which could result in lost fishing time. He expressed support of enforcement by the Department of Public Safety (DPS), which has a history in Area M, and it has the

tools to monitor the fisheries. He argued that supporting DPS would be more cost effective than an electronic monitoring program.

[10:29:12 AM](#)

KATHY HANSEN, Executive Director, Southeast Alaska Fishermen's Alliance, provided public testimony in opposition to HB 294 on behalf of the alliance's 320 plus members. She stated that she is also a member of the North Pacific Fisheries Management Council. She advised that many issues need to be considered concerning HB 294, including the cost to the fisherman and ADF&G, confidentiality of data, and the ability to repair broken equipment in a timely manner. She expressed the opinion that the Board of Fisheries process would not allow full testimony from the public and other entities. She recommended that if the legislation moves forward, it needs to be amended in Section 1 of AS 16.05050 (a)(13) and Section 2 of AS 16.05251 (a)(13). She argued that both sections list criteria that the board must consider for the onboarding observer program; however, this has not been included in the electronic monitoring programs. She recommended that an advisory committee be formed of fishermen and stake holders to assist in developing the program. She stated that the Southeast drift gillnet fishery is getting an observer pilot program in 2024, and this concerns marine mammals with a budget of around \$230,000. She stated that both observers and electronic monitoring are being considered for this program. She argued that a successful program per HB 294 would require support from the fishing fleet and data planning.

MS. HANSEN, in response to a question from Representative Himschoot, expressed uncertainty whether the cost of \$230,000 for the Southeast drift gillnet program would be annually or just for the two to three years the program would be implemented. She responded that federal dollars would be used for this program.

[10:32:40 AM](#)

JARED DANIELSON, representing self, testified in opposition to HB 294. He expressed concern about the negative impact of the legislation. He pointed out the high cost of the installation and maintenance of the equipment and the burden that this would present to small vessel owners. He expressed the understanding that the legislation is being "pushed" by a small group with a specific agenda, and it does not represent the fishermen. He noted that there is already effective enforcement in place that

ensures compliance with regulations, so electronic monitoring would be unnecessary. He stated that it would just be more "bureaucratic hurdles." He discussed the cost and encouraged the committee to oppose the legislation in its current form.

[10:34:53 AM](#)

DARIN GILMAN, representing self, provided testimony in opposition to HB 294. He stated that he participates in multiple fisheries in the state. He reiterated the concerns of previous testifiers, including confidentiality and cost concerns.

[10:35:40 AM](#)

DAVID POLUSHKIN, representing self, provided testimony in opposition to HB 294. He shared that he has participated in the fisheries in Area M since 1986, and he currently has electronic monitoring on his vessel for the [federal] halibut and pacific cod fisheries. He described the electronic monitoring process, noting that if the equipment stops, he is required to return to shore to have it repaired. He discussed the costliness of the program, stating that there are already troopers who provide enforcement in the area. He expressed the opinion that trooper enforcement is the most effective, and the cost of the electronic monitoring equipment would drive fishermen out of business. He concluded that there are other questions to consider concerning the cost of the program.

[10:37:23 AM](#)

CHAIR VANCE, after ascertaining that there was no one else who wished to testify, closed public testimony.

[10:37:55 AM](#)

REPRESENTATIVE STUTES expressed the understanding that per page 5, line 18 of the proposed legislation, both electronic monitoring and observers could be required. She recommended that more work be done on the requirements before the bill is enacted.

[10:38:57 AM](#)

REPRESENTATIVE HIMSCHOOT concurred with Representative Stutes. She questioned whether fishermen would be able to choose between the electronic monitoring or a human observer.

DOUG VINCENT-LANG, Commissioner, Department of Fish and Game (ADF&G), answered questions on HB 294, on behalf of House Rules by request of the governor. He stated that the federal program had used the council to address this in the regulation. He continued that through this process fishermen have been involved to help determine which program would be used, adding that sometimes both programs are used aboard a vessel. He explained that the bill uses the word "and", as the option would be for both.

REPRESENTATIVE HIMSCHOOT expressed confusion, as there are guidelines in statute for human observers, but there is none for electronic monitoring. She suggested that this would need to be done by statute.

COMMISSIONER VINCENT-LANG stated that because it is not in statute, there is no electronic monitoring; therefore, the regulatory work cannot be developed. There had been the decision to ask the legislature first before developing this, as creating the regulations would require time. In response to a follow-up question concerning the expense, he stated that for the state to pay the cost there would need to be a fiscal note from the legislature. He suggested that from price comparisons, human observers would cost more, and this cost would be passed onto the fishermen. He stated that the Board of Fisheries would consider this.

[10:43:21 AM](#)

CHAIR VANCE expressed the understanding that implementing electronic monitoring would be less about data and more about "bad actors" and enforcement. She questioned whether there is technology to help review the data so a person would not have to do this.

COMMISSIONER VINCENT-LANG stated that there is an effort to incorporate artificial intelligence to help review videos. He emphasized that along with the enforcement component of electronic monitoring, there is also a data piece. He discussed the importance of mandatory retention to track the genetic composition of fish. In response to the follow-up question concerning the use of drones, he stated that there is work being done on drone technology.

[10:46:32 AM](#)

REPRESENTATIVE HIMSCHOOT questioned whether the regulations concerning human observers were written after humans were put onboard.

COMMISSIONER VINCENT-LANG stated that he was not part of this process, and he would report back to the committee on this. He expressed the understanding that because there were already federal statutes, the state statute on observers needed to mirror these regulations.

REPRESENTATIVE HIMSCHOOT referenced the robust DPS enforcement discussed during public testimony. She questioned whether electronic monitoring would be for research or enforcement.

COMMISSIONER VINCENT-LANG reiterated that electronic monitoring would be for both.

[10:48:09 AM](#)

REPRESENTATIVE STUTES commented that she would be more likely to vote in a positive way on a fiscal note for more DPS funding than for electronic monitoring through ADF&G.

REPRESENTATIVE MCCABE commented that "isn't it a shame we need it at all." He postulated that if the fishermen were concerned about the resource, they would be following the recommendations from the biologist.

[10:49:25 AM](#)

REPRESENTATIVE CARPENTER questioned whether HB 294 is specifically singling out Area M for electronic monitoring.

COMMISSIONER VINCENT-LANG responded that this area is being used as an example. He noted that Area M was under discussion by the board when the idea was introduced. He pointed out that the seine fishery in Southeast Alaska also has requirements of retaining king salmon for treaty purposes, so this fishery is also in the discussion. In response to a follow-up question, he stated that the proposed legislation does not site any specific area for electronic monitoring. He stated that to determine which areas would have electronic monitoring; this would go through the board's process.

[10:50:48 AM](#)

REPRESENTATIVE HIMSCHOOT expressed the opinion that "it would be great if we all followed the law;" however, those in the fleet that do not follow the law need to be called out.

COMMISSIONER VINCENT-LANG, in closing, stated that ADF&G has accomplished its goal in having the discussion on electronic monitoring, as currently human observers are the only "tool in the toolbox." He stated that if the legislature does not pass the proposed legislation, the department would continue to work with the federal government to improve this. He expressed the opinion that electronic monitoring should be added, as small boat operators should have more options than having human observers onboard.

[10:52:03 AM](#)

CHAIR VANCE expressed the opinion that the discussion has clarified what would be involved concerning the federal fisheries and the issues of bycatch. She noted that resources are of a concern and that fishermen feel they are being targeted. She recommended that electronic monitoring needs to be flushed out and expressed support of an advisory committee using fishermen to do this. She addressed the noncommercial side, noting there is no accountability of the sports fish sector, as it has no logbook requirement. She voiced the understanding that the fish taken are not accounted for, and this especially concerns king salmon.

CHAIR VANCE discussed the request for more enforcement on the Kenai River, expressing the understanding that individuals who are not state residents are taking advantage of this resource. She noted that hundreds of boxes of salmon are being shipped out of state. She continued that this should be a conversation about protecting the entire resource using data and enforcement. She argued that every fisherman should be treated equally, whether this involves personal use, sport fish, subsistence, or commercial.

CHAIR VANCE, concerning HB 294, expressed the understanding that fishermen are requesting more time to further develop the plan, partly because the technology is not ready. She expressed concern on giving too much authority to the Board of Fisheries, even though its process is robust. She argued that the board should be an allocative body and ADF&G the management body.

COMMISSIONER VINCENT-LANG concurred with the concern on the accountability of recreational fisheries. He noted that cell

phone technology is being used in other states for reporting, and this is being researched by ADF&G for the personal use fisheries.

10:56:20 AM

CHAIR VANCE announced that HB 294 was held over.

10:56:39 AM

**ADJOURNMENT**

There being no further business before the committee, the House Special Committee on Fisheries meeting was adjourned at [10:56 a.m.].