

ALASKA STATE LEGISLATURE
HOUSE SPECIAL COMMITTEE ON FISHERIES

April 25, 2024

10:03 a.m.

MEMBERS PRESENT

Representative Sarah Vance, Chair
Representative Kevin McCabe
Representative CJ McCormick
Representative Ben Carpenter
Representative Craig Johnson
Representative Louise Stutes
Representative Rebecca Himschoot

MEMBERS ABSENT

All members present

COMMITTEE CALENDAR

HOUSE RESOLUTION NO. 8

Encouraging the Department of Fish and Game to adopt certain regulations relating to fisheries bycatch.

- HEARD & HELD

CS FOR SENATE CONCURRENT RESOLUTION NO. 10(FIN) AM

Establishing the Joint Legislative Seafood Industry Task Force.

- MOVED HCS CSSCR 10(FSH) OUT OF COMMITTEE

PREVIOUS COMMITTEE ACTION

BILL: HR 8

SHORT TITLE: FISHERIES BYCATCH REGULATIONS

SPONSOR(S): REPRESENTATIVE(S) VANCE

04/20/23	(H)	READ THE FIRST TIME - REFERRALS
04/20/23	(H)	FSH, RES
04/25/23	(H)	FSH AT 10:00 AM GRUENBERG 120
04/25/23	(H)	-- MEETING CANCELED --
04/27/23	(H)	FSH AT 10:00 AM GRUENBERG 120
04/27/23	(H)	<Bill Hearing Canceled>
04/23/24	(H)	FSH AT 10:00 AM GRUENBERG 120
04/23/24	(H)	Heard & Held
04/23/24	(H)	MINUTE(FSH)

04/25/24 (H) FSH AT 10:00 AM GRUENBERG 120

BILL: SCR 10

SHORT TITLE: JOINT LEGIS SEAFOOD INDUSTRY TASK FORCE

SPONSOR(S): FINANCE

03/01/24 (S) READ THE FIRST TIME - REFERRALS
03/01/24 (S) FIN
03/07/24 (S) FIN AT 9:00 AM SENATE FINANCE 532
03/07/24 (S) Heard & Held
03/07/24 (S) MINUTE(FIN)
03/21/24 (S) FIN AT 9:00 AM SENATE FINANCE 532
03/21/24 (S) Heard & Held
03/21/24 (S) MINUTE(FIN)
04/17/24 (S) FIN AT 9:00 AM SENATE FINANCE 532
04/17/24 (S) Moved CSSCR 10(FIN) Out of Committee
04/17/24 (S) MINUTE(FIN)
04/19/24 (S) FIN RPT CS 5DP SAME TITLE
04/19/24 (S) DP: STEDMAN, WILSON, KIEHL, MERRICK,
BISHOP
04/19/24 (S) TRANSMITTED TO (H)
04/19/24 (S) VERSION: CSSCR 10(FIN) AM
04/22/24 (H) READ THE FIRST TIME - REFERRALS
04/22/24 (H) FSH
04/23/24 (H) FSH AT 10:00 AM GRUENBERG 120
04/23/24 (H) Heard & Held
04/23/24 (H) MINUTE(FSH)
04/25/24 (H) FSH AT 10:00 AM GRUENBERG 120

WITNESS REGISTER

CARL HOLMAN, representing self
Wasilla, Alaska

POSITION STATEMENT: Provided public testimony in support of HR 8.

EDWARD C. JOHNSON, representing self
Sitka, Alaska

POSITION STATEMENT: Provided public testimony in support of HR 8.

JULIAN RAMIREZ, Salmon and Clear Water Organizer
Alaska Center
Anchorage, Alaska

POSITION STATEMENT: Provided public testimony in support of HR 8.

DAVID BOUGHT, representing self
Soldotna, Alaska

POSITION STATEMENT: Provided public testimony in support of HR 8.

KIRIL BASARGIN, Member
K-Bay Fisheries Association
Homer, Alaska

POSITION STATEMENT: Provided public testimony in support of HR 8.

TONY ARSENAULT, representing self
Homer, Alaska

POSITION STATEMENT: Provided public testimony in support of HR 8.

BROOKE WOODS, representing self
Fairbanks, Alaska

POSITION STATEMENT: Provided public testimony in support of HR 8.

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

POSITION STATEMENT: Provided public testimony on SCR 10.

TIM LAMKIN, Staff
Senator Gary Stevens
Alaska State Legislature
Juneau, Alaska

POSITION STATEMENT: On behalf of Senator Stevens, prime sponsor, answered questions on amendments to CSSCR 10(FIN) AM.

ACTION NARRATIVE

[10:03:19 AM](#)

CHAIR SARAH VANCE called the House Special Committee on Fisheries meeting to order at 10:03 a.m. Representatives McCabe, Stutes, Carpenter, Himschoot, and Vance were present at the call to order. Representatives McCormick and C. Johnson arrived as the meeting was in progress.

HR 8-FISHERIES BYCATCH REGULATIONS

[10:04:01 AM](#)

CHAIR VANCE announced that the first order of business would be HOUSE RESOLUTION NO. 8, Encouraging the Department of Fish and Game to adopt certain regulations relating to fisheries bycatch.

[10:04:21 AM](#)

CHAIR VANCE opened public testimony on HR 8.

[10:04:33 AM](#)

CARL HOLMAN, representing self, provided public testimony in support of HR 8. He shared that he lived and worked in Dutch Harbor from 1997 to 2004. He stated that he serviced fishing vessels and handled gear in the pollack fishery. He stated that the fishery is a midwater fishery and described the gear used. He stated that after the boats returned from a 30-day opener, the gear would be shredded. He expressed the understanding that this was because the gear was scraping the bottom of the ocean; therefore, he pointed out that this would not be midwater fishing. After this work, he stated that he went out on a trawl vessel and witnessed the bycatch going overboard. He described seeing king crab, halibut, flounder, salmon, and other species, noting that this is not indicative of midwater fishing. He argued that this type of fishing is destroying the bottom of the ocean, creating a dead zone. He expressed the opinion that action needs to happen now; otherwise, there will not be a fishery in the Bering Sea.

[10:07:25 AM](#)

REPRESENTATIVE MCCABE requested that the testifier submit a written testimony to the committee.

REPRESENTATIVE STUTES requested a written statement from the testifier on the details of bycatch from different fishing gear types.

[10:08:36 AM](#)

EDWARD C JOHNSON, representing self, provided public testimony in support of HR 8. He stated that he has been a commercial fisherman for 42 years. He stated that he has been to Dutch Harbor many times, where he saw bycatch sorted out, put into totes at the processers, and then driven to the grinder to be destroyed.

MR. JOHNSON addressed the state's appointments to the North Pacific Fisheries Management Council (NPFMC). He argued that these appointments should no longer be a "revolving door" of trawling lobbyist and big industry players and balance should be brought back to the board by supporting conservation. He argued that the governor has too much power in these appointments. He suggested there be a 10-year moratorium, so lobbyist and government officials cannot continually participate as returning board members and be involved in the managerial decisions. He argued that the [way the fisheries are being managed] is not sustainable, as the fisheries are "crashing."

[10:11:51 AM](#)

JULIAN RAMIREZ, Salmon and Clear Water Organizer, Alaska Center, provided public testimony on HR 8, on behalf of the Alaska Center. He expressed support for the removal of the utilization language from HR 8. He expressed the opinion that other actions could be taken to remove bycatch at its source, leaving these fish to be legally caught and utilized in this way. On behalf of the Alaska Center, he expressed support for the following: 24-hour observer coverage in the Gulf of Alaska and Bering Sea trawl fisheries; the nomination of a Tribal member to a designated seat on NPFMC; and a connection between the state and federal managed fisheries so fishing closures could be coordinated. He discussed the effects of climate change on cold-water fisheries; however, he urged that controlling bycatch could have a positive effect on sustaining these fisheries.

[10:13:42 AM](#)

DAVID BOUGHT, representing self, provided public testimony in support of HR 8. He expressed the opinion that keeping trawlers off the bottom of the ocean floor would be the most important action that could be taken. He pointed out that there is a loophole in the language that protects the gear being used, even in protected areas. He explained that this type of gear dramatically affects the ability of fisheries to recover. He noted that there have been no studies on recovery times of the Arctic's ocean floor, estimating that this recovery could take centuries. He stated that often climate change is blamed for the decline in the fisheries in Alaska; however, he suggested that this is an excuse for not taking responsibility for destructive fishing practices. He opined that climate change may be having an impact, but this would not justify making it worse. He noted a study that suggested that bottom trawling puts carbon in the atmosphere. He expressed concern on wanton

waste in the fisheries. He pointed out that the Constitution of the State of Alaska requires sustainable management of the state's resources and argued that this does not exist in the trawl industry.

[10:16:35 AM](#)

KIRIL BASARGIN, Member, K-Bay Fisheries Association, provided invited testimony on HR 8, on behalf of K-Bay Fisheries Association. He stated that the association represents over 200 fishermen and 600 community members. He discussed the association's concern about the trawl fleet, as it has exploited fishing. He expressed the opinion that this fleet has destroyed Kachemak Bay and the Gulf of Alaska around Seward, as no cod fishery remains in these areas. He discussed the destruction in Prince William Sound, as there are no king salmon or shrimp there. He stated that in January he saw 20-plus trawlers in Shelikof Strait, which he described as "a sanctuary for fish." He discussed how trawling is destroying the spawning grounds for multiple species. He recommended that trawl fishing be banned, and the trawl fishermen need to be held accountable.

[10:19:24 AM](#)

TONY ARSENAULT, representing self, provided public testimony in support of HR 8. He shared that for 39 years he has run a sport charter business in Homer. He expressed agreement with the previous public testifiers. He recommended that the top priority for the proposed legislation should be to reduce bycatch. He expressed disappointment with the governor and the commissioner of ADF&G, as they had informed NPFMC that no action was needed on bycatch. He discussed the trawl fishery in Shelikof Strait, pointing out that there are not many observers on board the trawl vessels there.

[10:20:53 AM](#)

BROOKE WOODS, representing self, provided public testimony in support of HR 8. She stated that she is a Tribal member on the Yukon River, where the subsistence fishery for king salmon has been closed for seven years, and the chum salmon fishery is declining. She expressed concern that bycatch could be a profit for industry. She stated that the SeaShare program has been unable to provide bycatch donations to remote villages. She argued that the state needs to act so wild salmon will return to impacted villages [indisc.]. She discussed the consequences of bycatch in the Bering Sea.

[10:22:19 AM](#)

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

[HR 8 was held over.]

SCR 10-JOINT LEGIS SEAFOOD INDUSTRY TASK FORCE

[10:23:12 AM](#)

CHAIR VANCE announced that the final order of business would be CS FOR SENATE CONCURRENT RESOLUTION NO. 10(FIN) AM, Establishing the Joint Legislative Seafood Industry Task Force.

[10:23:16 AM](#)

CHAIR VANCE opened public testimony on SCR 10.

[10:23:54 AM](#)

ERNIE WEISS, Natural Resources Director, Aleutians East Borough, gave public testimony in support of SCR 10. He stated that the Aleutians East Borrough include the communities of Akutan, Cold Bay, King Cove, Nelson Lagoon and False Pass. These communities are heavily dependent on commercial fishing, and on their behalf, he expressed support of SCR 10. He described the decline of the fisheries in the borough, including fishermen not being paid for last year's catch and the closure of processing plants. He noted that the King Cove plant would reportedly not open in the coming year, which is devastating for the community. He stated that the borough supports an accelerated timeline for the task force and the inclusion of representatives from the impacted fishing and processing communities.

[10:25:38 AM](#)

CHAIR VANCE announced that public testimony would be kept open.

[10:26:30 AM](#)

REPRESENTATIVE MCCABE moved to adopt Amendment 1 to CSSCR 10(FIN) AM, labeled 33-LS1469\S.A.2, Klein 4/24/24, which read:

Page 3, line 11, following "processors":
Insert ", or their designees,"

Page 3, line 13, following "processor":
Insert ", or its designee,"

Page 3, lines 15 - 19:

Delete all material and insert:

"(B) three independent seafood harvesters, or their designees, who actively participate in state- or federally managed fisheries off the coast of the state;"

REPRESENTATIVE CARPENTER objected for the purpose of discussion.

[10:26:35 AM](#)

CHAIR VANCE explained that Amendment 1 would clean up the language around the members of the proposed task force.

[10:26:59 AM](#)

The committee took an at-ease from 10:26 a.m. to 10:29 a.m.

[10:29:39 AM](#)

CHAIR VANCE clarified that Amendment 1 was labeled as A.2, and it regards the membership of the proposed task force, as seen on page 3, line 11, 13, and 15-19. She stated that on lines 11 and 13, the language "or designee" would be added, and this is because the timeline is short, taking place during the fishing season. She explained that this would allow a task force member to be a representative of an owner/operator or processor. She explained that the language on lines 15-19 would expand the qualifications for commercial seafood harvesters to "three independent seafood harvesters", and this is so owner-operator Alaskan fishermen who are actively participating in the state or federal fisheries, or their designee, could be included.

CHAIR VANCE stated that it is not her intention to consolidate representatives, rather this would make sure there are different representatives of the fisheries and there are enough representatives participating. Per Representative Carpenter's request, she stated that now the amendment highlights independent privately owned operators. She added that there was a request to expand the board to have representatives from state and federally managed fisheries; not just state, as this would only represent about half of the fishermen.

[10:31:54 AM](#)

REPRESENTATIVE STUTES questioned whether this would exclude large processors.

CHAIR VANCE noted that lines 15-19 only address task force seats for the three independent seafood harvesters. She stated that lines 11-13 regard the processors.

[10:32:42 AM](#)

REPRESENTATIVE HIMSCHOOT expressed the hope that individuals who have actively participated in fisheries, but are retired, would still be considered as applicants. She noted that if [retired] individuals have recently fished, and they have the knowledge, they may have more time to actively participate.

[10:33:44 AM](#)

TIM LAMKIN, Staff, Senator Gary Stevens, Alaska State Legislature, on behalf of Senator Stevens, answered questions on CSSCR 10(FIN) AM. He noted that setting up and staffing task forces could be "tricky." He stated that the intent would be that the task force is fair, broadly represented, and as balanced as possible, and he noted the time constraints in setting up the task force.

[10:34:32 AM](#)

The committee took a brief at-ease.

[10:34:42 AM](#)

CHAIR VANCE questioned the intent of the language "actively participate" in the proposed resolution.

MR. LAMKIN explained that individuals who are actively fishing would be those who are "getting dirty" and directly vested stakeholders. He added that this would not necessarily preclude retired fishermen. He offered the advice to reconsider the language on line 10 of Amendment 1, which refers to "off the coast", as this could exclude setnetters, who potentially could be stakeholders in the project.

CHAIR VANCE responded that the intent is not to preclude setnetters.

[10:36:46 AM](#)

REPRESENTATIVE CARPENTER moved to adopt Conceptual Amendment 1 to Amendment 1. He stated that the conceptual amendment would strike the words "off the coast of the state" and add the word "Alaskan" before the word "fisheries".

[10:37:04 AM](#)

CHAIR VANCE, hearing no objection, stated that Conceptual Amendment 1 to Amendment 1 was adopted.

[10:37:11 AM](#)

REPRESENTATIVE MCCABE expressed the opinion that the amendment would make the language on line 9 of the proposed legislation redundant. He argued that the language concerning the representatives of processors is broad; therefore, it could be virtually anyone. He questioned the "designee" language.

CHAIR VANCE explained that if the owner of the processor cannot be available at the time, a company representative could be sent to speak on his/her behalf. She stated that the intention is to make sure someone could speak on the owner's behalf.

REPRESENTATIVE MCCABE argued that the amendment already expressed this on line 9, paragraph (8).

CHAIR VANCE concurred with the observation.

[10:39:11 AM](#)

REPRESENTATIVE STUTES expressed the opinion that now would be the opportunity to clean up the language.

CHAIR VANCE expressed the desire that the language in the proposed amendment be cleaned up during the meeting. She recommended that the committee adopt Amendment 1, and then amend the language with a conceptual amendment that would remove "on behalf of", and this is because having "or designee" after the word "processor" would be clearer. She questioned Representative McCabe's preference.

REPRESENTATIVE MCCABE expressed agreement on the way the resolution was originally written. He expressed the opinion that the committee is attempting to put "its fingerprints into

it." He suggested that line 1 and line 2 of Amendment 1, as amended, be stricken.

[10:40:44 AM](#)

REPRESENTATIVE MCCABE moved to adopt Conceptual Amendment 2, to Amendment 1, as amended. He stated that Conceptual Amendment 2 would strike line 1 and line 2 of the amendment. There being no objection, Conceptual Amendment 2 was adopted.

[10:41:02 AM](#)

REPRESENTATIVE CARPENTER confirmed that Conceptual Amendment 2 would address lines 1 and 2 but would not change the language "designee" on line 5 of the amendment. He pointed out that line 5 contains the same grammatical error [as the first occurrence, which was stricken from lines 1 and 2].

[10:41:39 AM](#)

CHAIR VANCE questioned whether Conceptual Amendment 3 should be entertained.

[10:41:41 AM](#)

REPRESENTATIVE MCCABE moved to table Amendment 1, as amended.

REPRESENTATIVE CARPENTER objected.

[10:42:04 AM](#)

The committee took an at-ease from 10:42 a.m. to 10:44 a.m.

[10:44:40 AM](#)

REPRESENTATIVE MCCABE moved to withdraw the motion to table Amendment 1, as amended. There being no objection, Amendment 1, as amended, was back before the committee.

[10:44:58 AM](#)

REPRESENTATIVE MCCABE moved to rescind action on Conceptual Amendment 2 to Amendment 1, as amended. There being no objection, Conceptual Amendment 2 was rescinded.

[10:45:22 AM](#)

CHAIR VANCE stated that Amendment 1, as amended, to CSSCR 10(FIN) AM, was before the committee.

REPRESENTATIVE CARPENTER removed his objection to Amendment 1, as amended. There being no further objection, Amendment 1, as amended, was adopted.

[10:46:07 AM](#)

REPRESENTATIVE MCCORMICK moved to adopt Amendment 2 to CSSCR 10(FIN) AM, labeled 33-LS1469\S.A.1, which read:

Page 2, line 31:
Delete "16"
Insert "19"

Page 3, line 24:
Delete "and"

Page 3, following line 24:

Insert a new paragraph to read:

"(3) three members who are enrolled citizens of a federally recognized tribe in this state, appointed jointly by the president of the senate and the speaker of the house of representatives; and"

Renumber the following paragraph accordingly.

REPRESENTATIVE CARPENTER objected for the purpose of discussion.

[10:46:14 AM](#)

REPRESENTATIVE MCCORMICK stated that the amendment would be a way to enhance the task force, and it would respond to the request for more Tribal representation on the task force. He expressed the opinion that these three representatives would enhance the task force and bring a perspective that might not otherwise be presented.

[10:46:50 AM](#)

REPRESENTATIVE STUTES suggested that adding three members would possibly be too many, and she questioned why this number was chosen.

REPRESENTATIVE MCCORMICK responded that this number matches the number of the other representatives, which would give equal balance on the task force.

REPRESENTATIVE STUTES moved to adopt Conceptual Amendment 1 to Amendment [2]. She stated that this conceptual amendment would add three members from the Senate, appointed by the president of the Senate, of which one would be in the minority. She continued that there would also be three members from the House of Representatives appointed, of which one would be in the minority. She expressed the understanding that the maker of the document is supportive, as this would allow the task force to continue working while vested members are out fishing and unable to attend. She added that with the legislative members working on the task force, those out fishing would know that there is a complement, with a robust discussion continuing.

[10:48:36 AM](#)

REPRESENTATIVE MCCABE pointed out that the conceptual amendment would add 5 members to the 16-member task force. He argued that this would be a "huge" task force. Reconsidering, he suggested that this would actually add 9 members, equaling 25 members.

REPRESENTATIVE STUTES clarified that Conceptual Amendment 1 to Amendment 2 would add three members by each body, totaling six members.

REPRESENTATIVE MCCABE clarified that this would be the equivalent of six legislators. He questioned whether adding six members would be an issue.

[10:50:09 AM](#)

MR. LAMKIN stated that he is neutral on this issue; however, he added that allowing one member of the minority for each body to participate would be consistent with previously established task forces.

[10:50:47 AM](#)

REPRESENTATIVE CARPENTER clarified that before the committee was Conceptual Amendment 1 to Amendment 2.

[10:51:20 AM](#)

REPRESENTATIVE MCCORMICK requested clarification on Conceptual Amendment 1. He expressed the opinion that to be substantial, the proposed conceptual amendment would need to be in writing.

REPRESENTATIVE STUTES stated that Conceptual Amendment 1 would add two additional members to Amendment 1, one from the Senate minority and one from the House minority.

[10:52:13 AM](#)

REPRESENTATIVE C. JOHNSON questioned what would be considered the "Senate minority." He expressed the understanding that there is not [an organized] minority in the Senate.

MR. LAMKIN explained that one seat would be dedicated to a member of the unrecognized minority in the Senate and one seat would be dedicated to the recognized minority in the House.

[10:52:50 AM](#)

CHAIR VANCE expressed opposition to Conceptual Amendment 1 to Amendment 2. She suggested that its intent is not clear to members. She added that the existing language in the proposed resolution would not preclude the presiding officers from appointing a minority member from either body. She expressed the hope that any member of the task force would best represent people in the seafood industry who are experiencing economic peril, whether these representatives are harvesters, members from the legislature, seafood processors, Tribal members, or community members. She noted that because the task force would only meet for a very short timeframe, those who can best engage should be members. She argued that this would be "a quick sharpshooting thing" with the best members. She reiterated that the language would not preclude minority members from either body being appointed.

[10:54:06 AM](#)

REPRESENTATIVE MCCORMICK requested clarification on Conceptual Amendment 1.

REPRESENTATIVE STUTES restated Conceptual Amendment 1 to Amendment 2, explaining that the conceptual amendment would add to the task force one House minority member and one Senate member in the unorganized minority. As the meetings would take place during the fishing industry's busy summer, she reasoned that having the extra members would allow the business of the

task force to continue. She expressed the understanding that the maker of the document is in full support of this idea.

[10:55:37 AM](#)

REPRESENTATIVE HIMSCHOOT expressed the understanding that the conceptual amendment would be added on page 3, lines 3-6. She expressed support for this, as the quorum would be a simple majority of the task force; however, she added the qualification that she would only support [Amendment 2] if Tribal members were appointed, as too many legislators would be "top heavy."

CHAIR VANCE remarked that expressing support for legislation does not work in this way.

[10:56:46 AM](#)

MR. LAMKIN, per Legislative Legal Services, expressed the understanding that Conceptual Amendment 1 is in regard to page 3, lines 2-6, and it would add six members of the legislature, two from the majority of both bodies and one from the minority of both bodies.

[10:57:12 AM](#)

REPRESENTATIVE MCCORMICK argued against having [Conceptual Amendment 1 intertwined with Amendment 2]. He expressed support for the conceptual amendment but not as an amendment to Amendment 2. He expressed the fear that the conceptual amendment might cause members not to support Amendment 2. He suggested a motion to split the question.

REPRESENTATIVE STUTES withdrew Conceptual Amendment 1 to Amendment 2. There being no objection, Conceptual Amendment 1 to Amendment 2 was withdrawn.

CHAIR VANCE stated that Amendment 2 to CSSCR 10(FIN) AM was before the committee.

[10:58:07 AM](#)

REPRESENTATIVE MCCABE questioned whether this would preclude a Tribal member from being a member in a seat designated for a seafood processor, salmon harvester, whitefish harvester, shellfish harvester, or another representative of fishing-dependent coastal communities.

MR. LAMKIN verified that Representative McCabe was referring to Amendment 2. He noted that there was an earlier question on adding three members, stating he would answer this question along with the current question.

CHAIR VANCE interjected that the committee is currently only addressing the Tribal question.

MR. LAMKIN referenced page 3, lines 9-24, as amended, and pointed out that among these groups there would likely be someone who is a member of a federally recognized Tribe that would qualify. However, as a "friendly compromise," he suggested that on page 3, line 7, after "9 public members", the language "one of which is enrolled as a citizen of a federally recognized Tribe" could be added. He pointed out that this would still provide for specific Tribal representation.

[11:00:02 AM](#)

REPRESENTATIVE MCCORMICK expressed the opinion that this would not be a compromise, as the voice of Tribal members would be disempowered. He explained that a compromise would be an equally balanced task force, and he expressed opposition to the idea.

[11:00:19 AM](#)

REPRESENTATIVE STUTES opined that none of the other appointments would prevent the individual from being a Tribal member.

MR. LAMKIN expressed the belief that this statement is correct, as Tribal member representation would not be precluded.

REPRESENTATIVE STUTES confirmed that there would be one designated Tribal seat, with the potential to have more than one.

CHAIR VANCE interjected that the committee discussion is on Amendment 2, which states that there would be three members.

REPRESENTATIVE STUTES suggested that without Amendment 2, there would be the potential of having six Tribal members, depending on the appointments.

MR. LAMKIN expressed the understanding that this could be possible.

[11:01:27 AM](#)

REPRESENTATIVE HIMSCHOOT spoke to the importance of intentionally having the voice of Tribal citizens, as recognized by both the state and federal governments. She explained that these are coequal governments, and the discussion is on something that "greatly" affects Tribal communities. She argued that intentionally asking for this voice would be different from "hoping that maybe somebody might be able to speak from that perspective;" otherwise, she suggested that the individual would be asked to wear "two hats." She maintained that there should be a Tribal voice on the task force, and it should not be left to chance.

[11:02:20 AM](#)

CHAIR VANCE reminded members that the intent of the task force would be to address the current economic peril the seafood industry is facing. She continued that this is not a fishery task force, but one that regards the seafood industry itself. She argued that this is a "big factor."

[11:02:54 AM](#)

REPRESENTATIVE CARPENTER, from the perspective of living in a semirural area, pointed out that many families benefit from being on the road system; however, these families still rely on salmon as part of their food source. He opined that families who live off the road system would consider that going a year without salmon as an economic hardship. He continued that in a holistic approach to the economy, rural communities who do not have access to fish because of state policy would also be part of the economy and a part of the economic problem that the state now has. He expressed the understanding that the way the resolution is now drafted, it is looking at the economy and making money with the activities of processors and fishermen; however, it does not consider subsistence as a piece of the economy. He argued the importance of having representation on the board with Alaskans whose economic interest is not making money, but just in surviving. He expressed the understanding that processing and fishing is necessary to the state, but the others should not be "left behind." He expressed concern that those who are just trying to live do not have a voice at the table.

[11:05:22 AM](#)

CHAIR VANCE expressed disagreement and pointed out that there are three representatives of fishing-dependent coastal communities outlined in the proposed resolution. She stated that this would be the communities relying on the income from the seafood industry, which would represent Tribal members, members of city groups, mayors, or anyone impacted by the seafood industry. She maintained that the focus should stay on the purpose of the task force, as this is not a broad discussion on fisheries, but a discussion on those who rely on the seafood industry because of market conditions. She suggested that after the completion of the work of this task force, there could be a long-term task force focused on the fisheries as a whole, where there would definitely be specific Tribal representation. She opined that the task force formed by the proposed resolution would only be a short step to address a pertinent issue in the seafood industry.

[11:07:02 AM](#)

REPRESENTATIVE HIMSCHOOT asked Mr. Lamkin whether Senator Stevens' office has a position on this.

MR. LAMKIN responded that this amendment was just received by the office; therefore, there is a neutral position on the matter. He reiterated that a friendly amendment could be considered on page 3, lines 20-21, by adding, "at least one of whom is a member of a Tribe".

[11:07:39 AM](#)

REPRESENTATIVE MCCABE commented that 20 percent of the people in Alaska are Alaska Natives. He argued against the point Representative McCormick made that Tribes are coequal governments. He said, "That is simply not true." He expressed the agreement that there would need to be representation from all facets of the industry, but he questioned where it would end. He gave the example that cannery workers, such as Filipinos, could be considered for a seat on the task force. He reiterated Chair Vance's comment that the task force is tightly defined for the seafood industry. He noted that there would likely be a number of Natives based on the representation of rural areas. He expressed the understanding that it is being assumed that a non-Native is not capable of representing Natives. He opined that [having seats dedicated to Natives] would be driving the board in a political direction. He argued that this is a task force very tightly designed to do one thing, and the politics of this should not be involved. He suggested

that the resolution, as originally written, should be followed; however, if more representation is needed, this should be done.

[11:09:17 AM](#)

REPRESENTATIVE STUTES expressed the understanding that the resolution is more focused on the issues of marketing seafoods, rather than the actual sectors, such as sport, commercial, or subsistence fishing. She continued that her understanding is for the industry to work together as a whole, and it is not limited to Native or non-Native processors or fishermen. She referred to Chair Vance's statement that people who are involved in the fisheries and seafood marketing should be involved, but the focus should not be on subsistence. She expressed the opinion that the Native population should be involved, and it will be involved because there are opportunities. She expressed agreement with the chair that the focus of the resolution is being lost.

[11:11:06 AM](#)

REPRESENTATIVE MCCORMICK said that he has "a mouthful of blood right now because I'm biting my tongue." He argued that factually inaccurate information has been stated on the record. He stated that using "Tribe" would not necessarily indicate Alaska Native. He explained that a Tribe is a political subdivision and a government entity, as this was the purpose of the law passed in 2018. He argued that the statement that ["Tribe"] is a racial designation is inaccurate because it is a political subdivision. Moreover, he pointed out the assumption by some members that including Tribal representation would make this a subsistence issue, but Tribal governments also engage in the commercial fishing industry. As stakeholders in the seafood industry, he said, these entities should be part of the resolution. He stated that the intent of [Amendment 2] is not racial; rather, it is about including key stakeholders in the discussion and affording them the opportunity to make decisions influencing the industry where they participate. For those who do not support the amendment, he asked, "What are you afraid of?" He maintained that these entities are made up of individuals who are participating in the economy, but they have been argued out of representation.

[11:12:51 AM](#)

REPRESENTATIVE MCCABE concurred that many Natives are involved in the fisheries; therefore, they will be part of the board. He

stated that his question to Representative McCormick is, "What are you afraid of? Are you afraid they will somehow be excluded?" He opined that if individuals were a major part of the fishery, they would not be excluded, regardless of whether they are part of a Tribe or not.

[11:13:46 AM](#)

REPRESENTATIVE STUTES indicated that valid points have been made. She discussed the new, expanding processor in Kodiak that the Sun'ag Tribe owns. She continued that the Tribe is involved in marketing the product; therefore, by this participation in Kodiak's fisheries, the Tribe would be included. She voiced that she has not decided on a stance on the amendment.

[11:14:41 AM](#)

REPRESENTATIVE MCCORMICK responded to Representative McCabe that he is afraid of "our state's history." He pointed out that it has taken until 2018 for Tribal representation to happen when Tribes have been around since before statehood. He said, "It's history. That's what I am afraid of." He discussed the state's precedent, in that it has not acknowledged Tribes unless it is "on the books." He pointed out that there is a history that indicates that the word of the legislature concerning Tribal representation cannot be [trusted], as there has been a systemic and historical rejection of Tribal representation. He argued that the track record suggests that the state intends to do the right thing, but in the end it has not. He stated that he is not trying to exclude anyone and expressed the belief that there should be more stakeholders at the table, as it would make a more democratic process. He concluded that the state would be better with Amendment 2.

[11:15:47 AM](#)

CHAIR VANCE questioned whether Tribal members should be identified as community members who are actively engaged in the fisheries, or as Tribal members.

REPRESENTATIVE MCCORMICK responded that principally his intention is for Tribal representation.

[11:16:36 AM](#)

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

[11:17:53 AM](#)

REPRESENTATIVE STUTES moved Conceptual Amendment 2 to Amendment 2 to CSSCR 10(FIN) AM, as amended. She explained that Conceptual Amendment 2 would require that Tribal members [on the task force] must be involved in the fishing industry.

[Although not stated on the record, the committee treated Conceptual Amendment 2 as if there was an objection.]

[11:18:11 AM](#)

CHAIR VANCE announced that Conceptual Amendment 2 to Amendment 2 was before the committee.

A roll call vote was taken. Representatives McCormick, Stutes, Carpenter, and Himschoot voted in favor of Conceptual Amendment 2 to Amendment 2. Representatives McCabe, C. Johnson, and Vance voted against it. Therefore, Conceptual Amendment 2 to Amendment 2 passed by a vote of 4-3.

[11:18:51 AM](#)

CHAIR VANCE announced that Amendment 2, as amended, was before the committee.

[Although not stated on the record, the committee treated Amendment 2, as amended, as if there was an objection.]

A roll call vote was taken. Representatives McCormick, Stutes, Carpenter, and Himschoot voted in favor of adopting Amendment 2, as amended, to CSSCR 10(FIN) AM, as amended. Representatives McCabe, C. Johnson, and Vance voted against it. Therefore, Amendment 2, as amended, was adopted by a vote of 4-3.

[11:20:12 AM](#)

REPRESENTATIVE CARPENTER moved to report CSSCR 10(FIN) AM, as amended, out of committee with individual recommendations and the accompanying fiscal notes. He granted Legislative Legal Services the authority to make technical and conforming changes. There being no objection, HCS CSSCR 10(FSH) was reported out of the House Special Committee on Fisheries.

[Although not stated on the record, the committee treated public testimony as closed.]

11:21:04 AM

ADJOURNMENT

There being no further business before the committee, the House Special Committee on Fisheries meeting was adjourned at 11:21 a.m.