

ALASKA STATE LEGISLATURE
HOUSE SPECIAL COMMITTEE ON FISHERIES

February 18, 2025

10:02 a.m.

MEMBERS PRESENT

Representative Louise Stutes, Chair
Representative Bryce Edgmon, Vice Chair
Representative Rebecca Himschoot
Representative Chuck Kopp
Representative Kevin McCabe
Representative Sarah Vance
Representative Bill Elam

MEMBERS ABSENT

All members present

COMMITTEE CALENDAR

HOUSE BILL NO. 93

"An Act changing the residency requirements for hunting, trapping, and sport fishing privileges; and providing for an effective date."

- HEARD & HELD

HOUSE BILL NO. 33

"An Act relating to participation in matters before the Board of Fisheries and the Board of Game by the members of the respective boards; and providing for an effective date."

- MOVED HB 33 OUT OF COMMITTEE

PRESENTATION: RECOMMENDATIONS RELATED TO THE JOINT LEGISLATIVE TASK FORCE EVALUATING ALASKA'S SEAFOOD INDUSTRY FINAL REPORT

- HEARD

PREVIOUS COMMITTEE ACTION

BILL: HB 93

SHORT TITLE: RESIDENCY REQ: HUNTING, TRAPPING, FISHING

SPONSOR(S): REPRESENTATIVE(S) HIMSCHOOT

02/10/25 (H) READ THE FIRST TIME - REFERRALS
02/10/25 (H) FSH, RES
02/18/25 (H) FSH AT 10:00 AM GRUENBERG 120

BILL: HB 33

SHORT TITLE: CONFLICT OF INTEREST: BD FISHERIES/GAME
SPONSOR(S): REPRESENTATIVE(S) STUTES

01/22/25 (H) PREFILE RELEASED 1/10/25
01/22/25 (H) READ THE FIRST TIME - REFERRALS
01/22/25 (H) FSH, RES
02/18/25 (H) FSH AT 10:00 AM GRUENBERG 120

WITNESS REGISTER

THATCHER BROUWER, Staff
Representative Rebecca Himschoot
Alaska State Legislature
Juneau, Alaska

POSITION STATEMENT: On behalf of Representative Himschoot,
prime sponsor, read the sectional analysis on HB 93.

MAJOR AARON FRENZEL, Deputy Director
Alaska Wildlife Troopers
Department of Public Safety
Juneau, Alaska

POSITION STATEMENT: Answered questions regarding HB 93.

JOE FELKL, Legislative Liaison
Alaska Department of Fish & Game
Anchorage, Alaska

POSITION STATEMENT: Discussed the fiscal note for HB 93 and
answered questions.

PAUL JOHNSON, Co-Owner
Gull Cove Lodge
Elfin Cove, Alaska

POSITION STATEMENT: Gave invited testimony in support of HB 93.

GARY HOLLIER, representing self
Kenai, Alaska

POSITION STATEMENT: Testified in opposition to HB 93.

JANE PIERSON, Staff
Alaska State Legislature
Juneau, Alaska

POSITION STATEMENT: On behalf on Representative Stutes, prime sponsor, introduced HB 33.

JERRY MCCUNE, Gillnet Permit Holder
Cordova, Alaska

POSITION STATEMENT: Gave invited testimony in support of HB 33.

LINDA BEHNKEN, Executive Director
Alaska Longline Fishermen's Association
Sitka, Alaska

POSITION STATEMENT: Testified in support of HB 33

RICHIE DAVIS, Member
Seafood Producers Cooperative
Sitka, Alaska

POSITION STATEMENT: Testified in support of HB 33

MATT GRUENING, Staff
Alaska State Legislature
Juneau, Alaska

POSITION STATEMENT: Presented the Recommendations Related to the Joint Legislative Task Force Evaluating Alaska's Seafood Industry Final Report.

GLENN HAIGHT, Commissioner
Commercial Fisheries Entry Commission (CFEC)
Juneau, Alaska

POSITION STATEMENT: Answered questions after the presentation on the Recommendations Related to the Joint Legislative Task Force Evaluating Alaska's Seafood Industry Final Report.

ACTION NARRATIVE

[10:02:37 AM](#)

CHAIR LOUISE STUTES called the House Special Committee on Fisheries meeting to order at [10:02] a.m. Representatives Vance, Kopp, McCabe, Elam, Himschoot, Edgmon, and Stutes were present at the call to order.

HB 93-RESIDENCY REQ: HUNTING, TRAPPING, FISHING

[10:04:35 AM](#)

CHAIR STUTES announced that the first order of business would be HOUSE BILL NO. 93, "An Act changing the residency requirements

for hunting, trapping, and sport fishing privileges; and providing for an effective date."

[10:04:47 AM](#)

REPRESENTATIVE HIMSCHOOT, as prime sponsor, introduced HB 93. She remarked that the genesis of HB 93 is from community members, and law enforcement has confirmed that this issue exists and needs a solution. She remarked on work with Legislative Legal Services, Alaska Wildlife State Troopers, and community members to make the best possible bill to support Alaska Communities. She stated that HB 93 would align hunting and fishing resident licensure requirements with the requirements of the permanent fund dividend (PFD). She remarked that currently, the enforcement of residency is difficult, and residency definitions are not standardized throughout the state. She said the goal is to protect Alaska resources for local families and simplify the job for law enforcement groups. She explained that current requirements for resident licensure are that you must be in the state and must remain indefinitely, which is difficult to enforce. Additionally, someone must have a domicile in the state for 12 consecutive months prior to licensure and the definition of "domiciled" is prone to various interpretations. Lastly, someone cannot claim residency or benefits in another state or country. She said HB 93 would add an additional standard to the residency definition and would require physical presence in the state for 12 months preceding the application for resident hunting and fishing licensure. She explained that this follows the same standard as the PFD, including any exemptions and allowances. She said that this would require Alaska residents to be physically present in the state for a minimum of 6 months and 1 day during a calendar year. She remarked that the bill does not require someone to apply for the dividend nor receive it to receive resident licensure but only have the qualifications to receive it. This will allow law enforcement some certainty with regards to timing of residency. She provided some examples of impacts it could have, including no changes to personal use fisheries, and some bag limits for fish species such as Chinook would remain the same. She explained that some bag limits pertaining to hunting would change depending on residency status. Additionally, she said that the cost of resident tags is different from that of non-residents. She remarked that this bill had support in the Thirty-Third Alaska State Legislature from various entities and mentioned a few of these groups. In summary she said that the residency requirements for hunting and fishing should be

clearer, and this bill would support both local resources and law enforcement.

[10:11:30 AM](#)

THATCHER BROUWER, Staff, Representative Rebecca Himschoot, Alaska State Legislature, on behalf of Representative Himschoot, prime sponsor, gave the sectional analysis for HB 93 [included in the committee file], which read as follows [original punctuation provided.]:

Section 1 amends AS 16.05.400 by adding a new subsection that requires a permanent identification card holder to meet the updated residency requirements in the bill.

Section 2 amends AS 16.05.415(a) bringing up to date the requirements for an individual to qualify for a resident sport fishing, hunting, or trapping license. A new subsection, AS 16.05.415(a)(3), is added which stipulates an individual must be physically present at all times in Alaska during the 12 months preceding the application for a resident license, or if absent, only absent as allowed for someone who is eligible for a permanent fund dividend (AS 43.23.008).

Section 3 amends AS 16.05.415(e) specifying an alien must meet the same residency requirements in section 2 of the bill to qualify for a resident sport fishing, hunting or trapping license.

Section 4 adds a new subsection to AS 16.05.415 directing the commissioner to adopt regulations under AS 44.62 for determining eligibility of a person to receive a resident sport fishing, hunting or trapping license.

Section 5 establishes a delayed effective date of January 1, 2027, for the bill.

[10:13:10 AM](#)

REPRESENTATIVE VANCE asked Representative Himschoot about what the conversations with constituents were who wanted the bill and what the impetus was.

REPRESENTATIVE HIMSCHOOT responded that the Fish and Game Advisory Committees stated that this is an issue throughout the state. She said that the term domicile is open to interpretation and could include a dry cabin or even a boat on a trailer. She said that there are a lot of ways to claim a

domicile while living out of state. She said this is an issue on Prince of Wales Island and troopers there have had trouble enforcing residency requirements. She said that being absent from Alaska longer than 6 months while maintaining residency is problematic.

REPRESENTATIVE VANCE spoke about inconsistencies across statute regarding the term domiciled. She noted Section 4 of the bill and inquired whether discussions were made regarding what proof of eligibility could look like.

REPRESENTATIVE HIMSCHOOT responded that previous discussions were been made regarding proof of eligibility. She said this could be a 1099 or a receipt from myAlaska, which would be the easiest, but there is other paperwork that could validate residency. She said that documentation is simplified when someone receives the PFD.

REPRESENTATIVE VANCE said that there has been consternation around this bill regarding providing proof of eligibility and if there was an easier way to enforce it for the troopers then it might be more doable. She said that she was open to trooper insights and felt it would be helpful for the discussion.

[10:17:40 AM](#)

REPRESENTATIVE ELAM asked how HB 93 would impact seniors who have perpetual licenses and how these licenses would be impacted if those seniors don't meet PFD requirements.

REPRESENTATIVE HIMSCHOOT responded that seniors would maintain their lifetime license but in order to use it, they would need to be in state for a minimum of 6 months and 1 day. She added that this is a reason for the extended effective date; it would allow an additional year for people to come into compliance.

[10:18:58 AM](#)

REPRESENTATIVE MCCABE remarked on issues he had with the bill, both last year's concept and the current. He said that elders are being treated differently than Merchant Marine seaman. He said that these mariners do not need a residence in Alaska and could be at sea for 10 months, rent for those remaining 2 months to qualify for the PFD and then receive resident benefits. He remarked that a Native who was born here, lived in Alaska their whole life, and had a permanent fishing license, couldn't leave more than six months, and retain residency. He said this really

bothers him and he wasn't sure whether it would fit under the Equal Protection Clause. He thought that treatment for those born and raised in Alaska was different than someone who may move up to Alaska and utilize loopholes for resident hunting and fishing access.

REPRESENTATIVE HIMSCHOOT responded that Merchant Marines are listed in the allowable absences for the PFD. She said if there are other career paths that take people out of state then they can be added to the list. She remarked that some species could be hunted with a relative as an accompanying guide. She said that two different timelines were being looked at, a lifetime perspective and the earned right versus the annual perspectives of families trying to fill the freezer. She said that if someone has the means to live out of state then they are enjoying a lower cost of living.

REPRESENTATIVE MCCABE said that he doesn't disagree with what was said other than the allowable absences under the PFD with Merchant Marines because they had no freezers to fill. He reiterated that someone born and raised in Alaska would now face a dilemma when going out of state. He said that he would be more supportive of the bill if this could be fixed and there are other career paths that could be discussed for allowable absences.

[10:23:28 AM](#)

REPRESENTATIVE EDGMON said that the cohort of people that would be impacted would be small since there is a zero fiscal note associated with the bill. He asked if this was a safe assumption.

REPRESENTATIVE HIMSCHOOT responded that she was working to try to get a more concrete number. She said that troopers are doing the work now, but they cannot enforce it. She reiterated that HB 93 would help support enforcement efforts.

REPRESENTATIVE EDGMON remarked that the court is overburdened now and there would likely be costs associated with prosecutions. He asked if tribal cards could be used and what role that might play. He acknowledged the issue of residency and domicile definitions for the state.

[10:25:39 AM](#)

REPRESENTATIVE KOPP asked if it was Representative Himschoot's intent to use the absences as identified in Alaska Statute to simply align the allowable absences with what is allowable under the PFD.

REPRESENTATIVE HIMSCHOOT responded that this is exactly what the bill is trying to do. She also responded that this would allow the courts to move faster and easier with facilitated enforcement for officers.

REPRESENTATIVE KOPP asked if the intent was not to endorse all the allowable absences as bill sponsor but to only align them with PFD requirements.

REPRESENTATIVE HIMSCHOOT responded that this is correct.

[10:27:00 AM](#)

REPRESENTATIVE MCCABE commented that his issue with the discussion is not about money and remarked on land ownership dilemmas associated with the proposal. He said this could easily be solved with an amendment to the proposed bill. He noted that with last year's bill concept there was a lot of resistance to the idea.

[10:29:42 AM](#)

REPRESENTATIVE VANCE asked about the fiscal note and inquired how enforceability would work in the field.

[10:31:35 AM](#)

MAJOR FRENZEL, Deputy Director, Alaska Wildlife Troopers, Department of Public Safety, responded that residency cases differ across the state. Last year he estimated that about 75% percent of cases were Wildlife Troopers doing proactive work by conducting contact investigations and another 25% percent of cases were reports from concerned citizens. He said that it is a different process than PFD verification. He described the process of getting a hunting and fishing license compared to a PFD. He said that investigations occur after the benefits had been obtained and this can cause enforcement issues. He said that difficult cases typically refuse to help investigators, and this prompts a more detailed investigation. He remarked that officers will often look for what benefits are being received out of state during the residency investigation. He said that

in the 12-month period prior to receiving licenses there cannot be any out-of-state benefits.

REPRESENTATIVE VANCE asked what is the first form of proof that is requested by enforcement when conducting residency investigations.

MAJOR FRENZEL responded that often it may be a driver's license followed by a series of questions. Using the responses, investigators can get a generally good idea about residency qualification.

REPRESENTATIVE VANCE asked whether HB 93, if passed, would create inconsistencies with a driver's license because someone can be in the state 30 days and receive a driver's license. She further inquired how enforcement would be implemented under the changed residency requirement.

MAJOR FRENZEL responded that someone would need to be a resident for 12 months prior to receiving a resident hunting or fishing license and hopefully they would have obtained a driver's license in that period.

REPRESENTATIVE VANCE said she was trying to get the full grasp of how this bill would be walked out in the field and that maintaining the trust of Alaskans was imperative.

[10:35:59 AM](#)

REPRESENTATIVE EDGMON said that this appears as a clean-up bill because so many of the statutes in Alaska are antiquated. He discussed the dates in which some bills were formed. He asked if enforcement views HB 93 as a clean-up bill.

MAJOR FRENZEL responded that residency cases are very difficult cases as written currently. He said that many times enforcement needs to go off intent and this can be difficult to prove in court. He said that some prosecutors have remarked that residency violation cases can require more paperwork than some homicides. He said that this bill would provide an exact timeline for law enforcement and mentioned the different records pertinent to residency cases.

REPRESENTATIVE EDGMON said that some people would be called into question if HB 93 were to become law. He said that from personal experience this group of violators seems small. He

said the bill is important, but it applies to a small subset of people in the field.

MAJOR FRENZEL said that HB 93 would restrict Alaska residency and that some out-of-state people would lose residency. He said it would tighten things up.

[10:39:44 AM](#)

REPRESENTATIVE ELAM asked about senior snowbirds living on the Kenai Peninsula with a lifetime license and how enforcement would validate residency while on a riverbank.

MAJOR FRENZEL responded that investigations would be the same as any other residency investigation. He said that routine contact questions would be conducted and if questions seem out of the ordinary then enforcement would dig a little deeper. In that situation they may not be a resident after investigation.

[10:41:29 AM](#)

REPRESENTATIVE MCCABE mentioned that there may be a statute that states that if someone establishes residency in Alaska, they have 90 days to get a driver's license.

MAJOR FRENZEL responded that this is correct.

REPRESENTATIVE MCCABE said it is pretty much the same as other states. He said last year he heard that some people on Prince of Wales Island were moving to Washington; keeping their Alaska driver's license; then coming back for the summer and using that Alaska driver's license to hunt and fish as a resident. He said this is a problem and they are breaking their individual state laws to maintain an Alaska License.

MAJOR FRENZEL responded that this was a fair statement. He remarked that it is something that is not well enforced across the country. He mentioned that when enforcement officers stop someone with an out-of-state license and ask questions, it can be difficult to ascertain the correct information.

REPRESENTATIVE MCCABE said that he was aware of the issue and wondered if there were a better way to enforce it. He said it seems like it would take a lot of time to enforce these things on the back end and asked if this was a fair statement.

MAJOR FRENZEL responded that he doesn't believe any more investigative time would be spent than what current investigations entail. He said it may broaden the pool of whom enforcement officers are looking for as opposed to before because there would be a strict timeline. He said that some people will start getting nonresident licenses because they would not want to take the risk of legal repercussions.

REPRESENTATIVE MCCABE asked about having to carry papers while going fishing and needing to have residency information available for enforcement. He asked if there was an easy way to prove residency for enforcement.

MAJOR FRENZEL said a lot of investigations don't initially require paperwork but issue a series of questions. He said enforcement won't end a trip on the spot unless warranted and these investigations would have follow-ups.

[10:45:22 AM](#)

REPRESENTATIVE VANCE echoed one of the concerns that Representative McCabe had regarding the proposed bill and, people who suddenly become in violation of the law. She asked what the difference between hunting and fishing rights were for a resident as opposed to a non-resident.

MAJOR FRENZEL answered that this can include different seasons, bag limits, what species are available, and some animals require a guide for nonresidents. He discussed a few differences between a non-resident and resident tag. He opined that he never felt like residency was a financial thing, but it has to do with taking the resource.

REPRESENTATIVE VANCE said she has been looking at domiciled residency in other areas such as voting and asked what the impact would be to flip it and first approve residency prior to resident licensure.

MAJOR FRENZEL responded that it is a lengthy process and the delay in time between a PFD application and received PFD benefits was considerable.

REPRESENTATIVE VANCE said that the timeline is an issue. She said that from a public perspective, people don't want to see wasted resources on investigations and there is a need for balance. She asked if new technology could be utilized and

whether any other concerns should be considered other than the timeline.

MAJOR FRENZEL said that when someone applies for the PFD the cost for violation is very clear. He said that the risk to reward for the PFD is not there and if felony level crime is placed on resident hunting and fishing access then it will deter violators. He said that there are lots of licenses sold in Alaska and they don't typically investigate residents. He explained the types of people that these investigations pertain to.

REPRESENTATIVE VANCE asked how many investigations are conducted in a year and what the penalty is for violations.

MAJOR FRENZEL remarked that if it is a misdemeanor it can cost up to \$25,000 and one year in jail. He said a \$200-350 fine is on the lower end for citations. He said that Big Game animals are different and typically prosecuted more heavily. He said that he could get those figures to Representative Vance in a follow-up regarding the number of investigations and said that there a lot of undocumented cases as well.

[10:53:28 AM](#)

JOE FELKL, Legislative Liaison, Alaska Department of Fish and Game, said that there is a zero fiscal note. He said the Alaska Department of Fish and Game has had many conversations with the bill sponsor and the intent of the proposed bill is not to change the way licenses are issued and that's why it is zero. He noted that when completing online license purchases, applicants certify that they meet residency requirements. He reiterated that nothing in the bill would change the way that licenses are issued.

[10:54:48 AM](#)

REPRESENTATIVE MCCABE remarked on the bill and mentioned Page 2 Paragraph 21. He asked if regulations could get developed to support life-long Alaskans when they don't meet PFD requirements.

MR. FELKL replied that he did not believe so. He said the commissioner could not establish regulation that is inconsistent with the statute. He said a tribal identification could be taken as a government document, but it would not create any exemptions.

REPRESENTATIVE MCCABE asked about the backend and mentioned that intent was hard to prove. He asked whether, if a violator could prove that their intent was to be a lifelong resident, but they didn't get a PFD, there could be an appeals process.

MR. FELKL said it would not be possible with this bill as it is currently written.

[10:57:27 AM](#)

CHAIR STUTES announced the committee would hear invited testimony on HB 93.

[10:57:44 AM](#)

PAUL JOHNSON, Co-Owner, Gull Cove Lodge, gave invited testimony in support of HB 93. He appreciated the fact that nothing is perfect, but resources were limited. He said statehood was a big deal and the state was set-up to protect the resources for the residents of the state and asked members how wide the door should be open. He remarked that the Board of Fisheries is backed up and resident allowances are going down. He said most of the small communities around have people that buy real estate and claim residency. He said in addition to taking resident benefits they also become federally subsistence qualified. He mentioned that most residents can't hunt in federal subsistence qualified activities, but those people do. He also said these people can federally fish subsistence for halibut too and even bring up their friends to abuse the system. He said this is not about money, but something much more precious. He opined that it has been made clear that the long-term benefit to the state is fish and game. He said this bill is important for a lot of reasons and making it easier for troopers is just one. He said 90 percent of the people will be easily checked with the PFD. He appreciated that "this pair of pants won't fit everybody perfectly, but something needs to give." He echoed Representative Edgmon's comment that current definitions are antiquated.

[11:01:31 AM](#)

CHAIR STUTES opened public testimony on HB 93.

[11:01:56 AM](#)

GARY HOLLIER, representing self, testified in opposition to HB 93. He said he is a 71-year resident of Alaska and has received every PFD. He said he doesn't get benefits from any other state. He said under this bill, if he is gone more than 180-days then he can't qualify for residency. He said he had many friends who would like to have these licenses even if they were gone for 185-days. He said even if gone from Alaska then he still wouldn't get out-of-state benefits. He said HB 93 is almost unconstitutional.

[11:04:09 AM](#)

CHAIR STUTES, after ascertaining there was no one else who wished to testify, closed public testimony on HB 93.

[11:04:52 AM](#)

CHAIR STUTES announced HB 93 was held over.

HB 33-CONFLICT OF INTEREST: BD FISHERIES/GAME

[11:05:19 AM](#)

CHAIR STUTES announced that the next order of business would be HOUSE BILL NO. 33, "An Act relating to participation in matters before the Board of Fisheries and the Board of Game by the members of the respective boards; and providing for an effective date."

[11:05:44 AM](#)

JANE PIERSON, Staff, Representative Louise Stutes, Alaska State Legislature, on behalf of Representative Stutes, prime sponsor, introduced HB 33. She said the bill would change the way the Board of Fisheries and the Board of Game function by allowing board members to deliberate on subjects in which they have claimed a conflict of interest. She said Title 39 prohibits a member from taking or withholding official action to affect a matter in which members have conflicting interests. She said these conflicts also include family members participating in these matters. She said the conflicted board members can no longer vote or engage in deliberations on an issue and said the proposed bill would allow members to impart their knowledge to the board prior to recusing themselves from a vote. She said that these boards are different from other professional boards and discussed the board members. She said that the selection process for the board is contentious in order to populate boards

that are balanced. She said silencing voices during board hearings erodes the public process. She noted that the documents provided to committee members highlight the processes associated with the boards and what recusals entail. She said there are several times which board members must recuse themselves and recusal rates between both boards were different. She noted that in 2018 one member on the Board of Fisheries had to recuse himself from one-third of fin-fish board discussions. She said in rural Alaska, one family member may participate in a line of work, and this prevents qualified applicants from joining the board. She said that sometimes these conflicts of interest also tie into subject matter expertise such as commercial fishing or lodge ownership. She closed by remarking that HB 33 would allow knowledge to be parted before recusals occur and would result in stronger boards and stronger deliberations.

[11:12:06 AM](#)

CHAIR STUTES announced the committee would hear invited testimony on HB 33.

[11:12:33 AM](#)

JERRY MCCUNE, Gillnet Permit Holder, gave invited testimony in support of HB 33. He remarked that Chair Stutes and her staff did a good job explaining the bill. He said that when he was younger, he wanted to be on the Board of Fisheries. He said that when the conflict of interest first came to light, his strike was being a permit holder, and his children and relatives were also associated with the fishing industry. He mentioned that he would be required to sit in the audience, not say anything and that some subject matters didn't have experienced voices. He said he dropped out because he couldn't do any good for the community because he would be "conflicted out" of multiple proposals. He said in a recent Southeast focused meeting, some members were confused about geoducks because subject experts were not available for discussion.

[11:14:34 AM](#)

REPRESENTATIVE VANCE remarked that his experience was needed for discussions but also was a conflict of interest. She asked why this bill was needed.

MR. MCCUNE responded that there are other board members who are not commercial fisherman who face conflicts of interest. He

said HB 33 is needed because it keeps people out of the board because they wouldn't have a say in matters.

REPRESENTATIVE VANCE asked what the extent is in which someone must declare a conflict of interest.

MR. MCCUNE responded that holding a permit means that he could benefit from decision making. A fish allocation between drift netters and seiners could be one such example. He also said that if a family member participates, then the same argument could be made. He said he could not recall the statute but understood that it included aunts and uncles. He discussed the benefit factor with regards to fishing. He remarked that a previous board member was estimated to sit out 33 discussions in a row.

REPRESENTATIVE VANCE asked whether board members who sat out were able to support conversations even without the ability to vote.

MR. MCCUNE responded that he was required to sit in the audience, and he could not be at the table with other board members. His only avenue for speaking was a two-minute testimony like the public. He said that during deliberations he would not be able to provide insights and this is frustrating because often board members could answer important questions while they are recused.

[11:19:33 AM](#)

LINDA BEHNKEN, Executive Director, Alaska Longline Fishermen's Association, testified in support of HB 33. She said the association supports the ability to conduct deliberations but recuse themselves from voting. She said that the board members with immediate familial conflicts should be able to continue deliberations and discussions. She said that participation would allow better facilitation of questions and member testimonies. She said that at a previous southeast board meeting, nobody at the table had a fishing background and it became clear that they did not understand the fishery or those impacted by decision making. She said one board member couldn't distinguish commercial trollers and commercial trawlers. She said that expertise is critical for making informed decisions.

[11:22:40 AM](#)

CHAIR STUTES opened public testimony on HB 33.

[11:23:00 AM](#)

RICHIE DAVIS, Member, Seafood Producers Cooperative, testified in support of HB 33. He said that the cooperative is the oldest on the continent and over its history the members have been involved in multiple historical events for Alaska. He said that the Seafood Producers Co-op complements the others in describing the challenges faced by board members relating to a conflict of interest. He said these conflicts prevent volunteers for the board and act as a deterrent for qualified individuals.

[11:26:04 AM](#)

CHAIR STUTES after ascertaining that there was no one else who wished to testify, closed public testimony on HB 33.

[11:26:16 AM](#)

REPRESENTATIVE ELAM asked Chair Stutes if HB 33 would preclude sport fishing folks from serving on the board.

CHAIR STUTES answered that it would not; it would keep a level playing field.

[11:26:50 AM](#)

REPRESENTATIVE KOPP remarked that he was not aware how dysfunctional this process has been. He appreciated this bill and didn't know that fisherman needed to step away from boards. He said it erodes the concept of a representative government.

[11:28:14 AM](#)

REPRESENTATIVE VANCE remarked that the legislature dealt with the same issue regarding conflict of interest. She said that knowledge and understanding of certain areas was important. She said that HB 33 is consistent with what is expected with legislators. She remarked that keeping expertise at the table is vital for decision-making processes.

[11:29:36 AM](#)

REPRESENTATIVE MCCABE moved to report HB 33 out of the committee with individual recommendations and the accompanying fiscal notes. There being no objection, HB 33 was reported out of the House Special Committee on Fisheries.

[11:30:10 AM](#)

The committee took an at-ease from 11:29 a.m. to 11:32 a.m.

**PRESENTATION: RECOMMENDATIONS RELATED TO THE JOINT LEGISLATIVE
TASK FORCE EVALUATING ALASKA'S SEAFOOD INDUSTRY FINAL REPORT**

[11:32:46 AM](#)

CHAIR STUTES announced that the final order of business would be a presentation of the Recommendations Related to the Joint Legislative Task Force Evaluating Alaska's Seafood Industry Final Report.

[11:33:06 AM](#)

MATT GRUENING, Staff, Alaska State Legislature, gave an update regarding the Recommendations Related to the Joint Legislative Task Force Evaluating Alaska's Seafood Industry Final Report [hard copy provided in committee file.] He said that the taskforce has focused most of their time on near-term recommendations. He remarked that multiple bills were in the process of being developed. He said that there was a bill in draft form that was recently received from Legislative Legal Services that pertains to insurance grouping for commercial fishermen. He spoke about conversations with insurance groups and that discussions were still ongoing. He spoke about current insurance pools operating in Alaska, their management, and elaborated on Alaska based management and insurance.

MR. GRUENING also discussed the commercial fishing revolving loan fund. He discussed a memorandum in members packets [included in committee file] and how it relates to the fund. He remarked that in response to the crisis in the fishing industry, some changes had been made in the last year. He discussed the loan mechanics such as loan limits and interest rates and remarked that currently ideas were being discussed to encourage new entrants into fishing.

MR. GRUENING also discussed the Fisheries Product Development Tax Credit Program. He said that meetings with processors were made to develop language to expand this program. He said this will not only assist keeping processors in business but will also help the fisherman. He remarked that upcoming drafts would soon be released for analysis.

11:38:43 AM

MR. GRUENING next discussed responsible fishery management (RFM) certification and that conversations with the Alaska Seafood Marketing Institute (ASMI) were underway to help develop the program. He described the RFM certification program and what the program does. He said it provides a low-cost third-party alternative to counter other certifications that continue to certify Russian-origin seafood and give them market share. He said that Russian seafood products are undercutting Alaska seafood globally. He discussed that a resolution will be in drafting shortly for this topic.

MR. GRUENING said there is a bill in drafting to address the new interpretation by law enforcement for setnet fisheries. He said that they have historically operated as a cooperative and permit holders often deliver as a group. He said that the new interpretation states that each permit holder needs to sign for each delivery separately. He said the legal interpretation would upend the way this fishery has been conducted for ages. The new bill would allow this fishery to operate as it has for years and would help clarify enforcement as well.

MR. GRUENING also discussed permit self-financing to protect transfers and lower the barrier to enter the fishing industry as a captain. He said there have been many meetings with the Commercial Fisheries Entry Commission (CFEC) to discuss this subject. He spoke about limited entry permits and opening these to banking institutions. He said it was something the fishing community wants, but time will be required for development to avoid any unintended consequences.

MR. GRUENING discussed permit outmigration from communities. He said that this was an issue especially in rural areas. He said it is something that constituents would like looked at. He said there were upcoming presentations in the committee pertaining to this and an interim working group focused on limited entry may be important.

11:45:21 AM

REPRESENTATIVE MCCABE asked about the legislation related to taskforce recommendations on setnet operations. He said his office sent a letter to the Department of Law, and Wildlife Troopers on this issue. He asked what caused the ticket spree on setnetters who had been doing this since statehood. He said it is taking a lot of legislative and trooper time, and costing

money. He said he heard that one set netter was 69 years old and requiring her to get to the tender three times a day would be unsafe. He said that the people tasked with keeping them safe are writing tickets.

MR. GRUENING responded that it was created by enforcement and a trooper started enforcing this and it was elevated to the attorney general (AG) level. He said an assistant AG looked at it and determined that there was some ambiguity in the statutory language. He remarked that the maximum amount of gear that a single person could use was regulated; the unit of gear could not extend beyond one net. He said setnetters have always acted like this and it has never been a problem. He agreed that this was not an appropriate use of time or resources.

REPRESENTATIVE MCCABE remarked that he didn't think the legislature's job was to create unsafe situations in the fishing industry. He remarked that lots of money is spent trying to create safe fishing situations. He said that it is exceedingly frustrating to listen to this.

MR. GRUENING remarked that he couldn't agree more. He remarked on the logistical and safety complications associated with the new legal interpretation. He said it creates a burdensome situation for fishermen who are operating the way they have for years, and work was being done to make it stop.

REPRESENTATIVE MCCABE asked if there was a way to fix the setnetter issue as previously discussed. He said that it is ridiculous and asked whether it was possible to fix with regulation.

[11:52:04 AM](#)

GLENN HAIGHT, Commissioner, Commercial Fisheries Entry Commission (CFEC), answered that he had not studied the issue close enough but believed that by statute the permit holder needs to be present when the fish are delivered.

MR. GRUENING noted that initially the taskforce members were looking at a regulation only fix but after discussions it became clear that some statutory language is identical to the regulatory language, and it needs to be fixed. He said that the hope is that discussions with the Department of Public Safety could be made to put a moratorium on enforcement.

REPRESENTATIVE MCCABE said that it is a shame that the legislature doesn't have the judiciary power to help address this problem.

[11:53:59 AM](#)

CHAIR STUTES after ascertaining that there were no more questions or comments from committee members, talked about the upcoming committee schedules and agenda.

[11:54:54 AM](#)

ADJOURNMENT

There being no further business before the committee, the House Special Committee on Fisheries meeting was adjourned at 11:55 a.m.