

HOUSE JOINT RESOLUTION NO. 42
IN THE LEGISLATURE OF THE STATE OF ALASKA
EIGHTEENTH LEGISLATURE - FIRST SESSION

BY REPRESENTATIVE DAVIDSON

Introduced: 4/23/93

Referred: House Special Committee on Fisheries, Resources

A RESOLUTION

1 **Opposing Individual Fishery Quota management systems for the Alaska halibut**
2 **and sablefish fisheries and other Alaska fisheries.**

3 **BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

4 **WHEREAS** the Alaska commercial fishing industry merges an established system of
5 biological management of fishery resources, a social foundation for Alaska coastal
6 communities, and unique and productive livelihoods for many thousands of Alaskans; and

7 **WHEREAS** International Pacific Halibut Commission and North Pacific Fishery
8 Management Council (NPFMC) studies show that the Alaska halibut and sablefish resources
9 are generally in a biologically healthy condition under the current open access management
10 system; and

11 **WHEREAS** the NPFMC has identified problems in the halibut and sablefish fisheries
12 without developing a comprehensive option based on the flexible management actions
13 available under the open access management system that may address those problems, such
14 as gear restrictions, tank inspections, flexible time frames for fishery openings to accommodate
15 weather, et cetera; and

16 **WHEREAS** the NPFMC is seeking to implement an Individual Fishery Quota (IFQ)

1 management system in the Alaska halibut and sablefish fisheries; and

2 **WHEREAS** the IFQ management system will initially allocate shares consisting of a
3 percentage of the annual total allowable catch of a fishery resource to individual fishermen;
4 and

5 **WHEREAS** implementation of the IFQ management system will instantly create
6 permanent, exclusive, and salable access rights to the halibut and sablefish fishery resources
7 of the North Pacific Ocean; and

8 **WHEREAS** the IFQ management system does not recognize the past participation of
9 crew members and vessel operators in the halibut and sablefish fisheries and denies to crew
10 members and vessel operators the economic opportunity that is reserved for vessel owners;
11 and

12 **WHEREAS** the proposed IFQ management system is not consistent with art. VIII,
13 sec. 15, of the Constitution of the State of Alaska which states "No exclusive right or special
14 privilege of fishery shall be created or authorized in the natural waters of the State. . . ."; and

15 **WHEREAS** the value of quota shares as salable property will make the IFQ
16 management system irreversible; and

17 **WHEREAS** an identified goal of the IFQ management system is to concentrate
18 ownership of the right to harvest the fishery resource into the hands of those with the greatest
19 wealth and financial advantages; and

20 **WHEREAS** the implementation of the IFQ management system will create a
21 privileged class of fishermen based on their fortuitous involvement in the fishing industry
22 during a particular period of time and will seriously inhibit those fishermen who wish to enter
23 those fisheries in the future; and

24 **WHEREAS** the IFQ management system will seriously inhibit the ability of fishermen
25 to diversify among fisheries as resource and market conditions fluctuate and will therefore
26 hinder the ability of fishermen to operate stable and successful fishing businesses; and

27 **WHEREAS** the NPFMC has not given adequate consideration to or realistically
28 estimated the practical enforcement costs, strategies, or funding sources required to ensure
29 effective at-sea and shoreside fishery conservation measures to prevent illegal fishing,
30 highgrading, false reporting, black marketing, et cetera of fish caught under the IFQ
31 management system; and

32 **WHEREAS** the NPFMC has not given sufficient consideration to the economic and

1 social effects that the IFQ management system will have on Alaskans and Alaska coastal
2 communities; and

3 **WHEREAS** testimony given to the NPFMC on the IFQ management system by
4 individual fishermen, industry, municipalities, and organizations overwhelmingly opposed such
5 management systems; and

6 **WHEREAS** while problems exist under the open access management system, it has
7 provided for proven, effective, and cost-efficient administration and enforcement of resource
8 conservation efforts, while allowing fishermen and the fishing industry the flexibility to
9 diversify among existing fisheries and to develop new fisheries as conditions and markets
10 change; and

11 **WHEREAS** implementation of IFQ management systems in any Alaska fishery will
12 result in serious, compound, negative effects for individual fishermen, the Alaska commercial
13 fishing industry, Alaska coastal communities with a fishing-based economy, and the overall
14 economy of the state;

15 **BE IT RESOLVED** that the Alaska State Legislature respectfully requests the
16 Secretary of Commerce to direct the National Marine Fisheries Service to contract for
17 extensive independent cost-benefit analyses, input-output analyses, and socio-economic impact
18 studies of any management system for Alaska fisheries and to seriously consider the full scope
19 of such a system before considering any allocative management measure for any Alaska
20 fishery; and be it

21 **FURTHER RESOLVED** that the Alaska State Legislature respectfully requests the
22 North Pacific Fishery Management Council to aggressively seek and carefully consider public
23 comment from all segments of the commercial fishing industry in order to develop an
24 equitable, comprehensive management plan for the Alaska halibut and sablefish fisheries
25 utilizing the flexible management tools available under the current open access management
26 system; and be it

27 **FURTHER RESOLVED** that the Alaska State Legislature opposes the use of state
28 agency resources, facilities, and funds or other forms of state cooperation to implement,
29 administer, or enforce the Individual Fishery Quota management system for the Alaska halibut
30 and sablefish fisheries or for any other Alaska fishery; and be it

31 **FURTHER RESOLVED** that the Alaska State Legislature respectfully requests the
32 Secretary of Commerce, the Administrator of the National Oceanic and Atmospheric

1 Administration, and the Director of the Office of Management and Budget to withhold
2 implementation for three years of any Individual Fishery Quota management system for the
3 Alaska halibut and sablefish fisheries, or any other Alaska fishery, so that cost-benefit
4 analyses, input-output analyses, and socio-economic impact studies of the proposed IFQ
5 management system can be completed and seriously considered before the proposed IFQ
6 management system is implemented.

7 **COPIES** of this resolution shall be sent to the Honorable Bill Clinton, President of the
8 United States; the Honorable Ronald H. Brown, Secretary of the U.S. Department of
9 Commerce; the Administrator, National Oceanic and Atmospheric Administration; the
10 Honorable Leon E. Pannetta, Director of the Office of Management and Budget; the
11 Honorable Richard Lauber, Chair of the North Pacific Fishery Management Council; and to
12 the Honorable Ted Stevens and the Honorable Frank Murkowski, U.S. Senators, and the
13 Honorable Don Young, U.S. Representative, members of the Alaska delegation in Congress.