

HB

346

Not heard 2/19/80 - will be rescheduled  
Hearing 3/25/80 - Reported out with DO PASS  
as CS SS HB 346



# Alaska State Legislature

## House

HOUSE RESOURCES COMMITTEE

FISH & GAME ISSUES

Alvin Osterback, Chairman

Pouch V, State Capitol  
Juneau, Alaska 99811  
(907) 465-3715

### HEARING NOTIFICATIONS

Re: Fishing Area Markers

BILL	DATE INFORMED	LETTER/PHONE	INFORMED	HEARING DATE
SS HB 346	3/21	4986	Rep. Zharoff, Sponsor	3/25
	3/21	4100	Dept. of Fish & Game	3/25
	3/21	4322	Dept. of Public Safety Mr. Sydman	3/25
	3/21	586- 2526	United Fishermen of Alaska	3/25



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BILL	DATE INFORMED	LETTER/PHONE	INFORMED	HEARING DATE
HB346	2/19/80	4100	<p>Dept. of Fish &amp; Game Steve Penroyer, Dir. of Commercial Fisheries to testify</p> <p><i>[Faded handwritten notes]</i></p>	2/19/80

(9)

# COMMITTEE REPORT

## HOUSE

3/19/80

FURTHER:

Date: 3/25/80

Mr. Speaker:

The Committee on RESOURCES has had SSHB 346

"An Act relating to fishing area markers."

under consideration and (a majority of the committee) (the committee) reports it back with the following recommendations:

- do pass  do not pass
- do pass with attached amendments(s)
- replace with CS for \_\_\_\_\_  same title  
 new title
- and recommends \_\_\_\_\_
- AND attaches a "Letter of Intent"  New Fiscal Note
- reports it back without recommendation
- referred to the \_\_\_\_\_ Committee

**MEMBERS SIGNING  
DO PASS**

[Signature]  
[Signature]  
[Signature]  
[Signature]  
[Signature]  
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**MEMBERS HAVING  
OTHER RECOMMENDATIONS:**

[Signature]  
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[Signature]

CHAIRMAN

**BILL ANALYSIS**

ASSIGNMENT DATE \_\_\_\_\_

UNASSIGNED \_\_\_\_\_

<b>DEPARTMENT</b> Public Safety	<b>SPONSOR (PRINCIPAL)</b>	<b>BILL NO.</b> HB 346
<b>DEPARTMENT POSITION</b>  Oppose		
<b>DIVISION DIRECTOR</b> Col. Fred Woldstad	<b>DATE</b> 2/29/80	<b>COMMISSIONER</b> William R. Nix <i>WRS</i>
		<b>DATE</b> 2/29/80
<b>GOVERNOR'S OFFICE USE</b>		
<input type="checkbox"/> POSITION NOTED	<input type="checkbox"/> POSITION APPROVED	<input type="checkbox"/> POSITION DISAPPROVED
<b>BY:</b>		<b>DATE:</b>
<b>SUMMARY</b>		
(1) RELATED BILLS (SIMILAR OR CONFLICTING)		
(2) OTHER AGENCIES AFFECTED BY BILL		
(2) a. ORGANIZATIONAL SUPPORT FOR BILL		(2) b. ORGANIZATIONAL OPPOSITION TO BILL
(3) PROGRAM EFFECTS OF BILL		
(4) FISCAL IMPACT: <input type="checkbox"/> NONE <input type="checkbox"/> FISCAL ANALYSIS ATTACHED		
(5) AMENDMENTS PROPOSED:		

**(6) COMMENTS:**  
 This bill would pose a problem to enforcement. It would require that a court of law prove that a marker is new or old. Fishermen could use this bill as an excuse to fish in closed waters.

What is considered a marker? In Kodiak, rocks were painted white 10 years ago, and used to denote closed areas. The regulations denote each closed area and the markers are used to assist commercial fishermen of where the closed areas are located. The solution is for Fish & Game to update those markers that are in use and are necessary to the individual fisheries.

16.05.785 would be under  
Article 6 - Miscellaneous Provisions

Introduced: 3/19/80  
Referred: Resources

1 IN THE HOUSE

BY ZHAROFF

2

SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 346

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IN THE LEGISLATURE OF THE STATE OF ALASKA

4

ELEVENTH LEGISLATURE - SECOND SESSION

5

A BILL

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For an Act entitled: "An Act relating to fishing area markers."

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BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

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\* Section 1. AS 16.05 is amended by adding a new section to read:

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Sec. 16.05.785. FAILURE TO REMOVE MARKERS. If the Board of Fisheries by regulation uses Department of Fish and Game markers to establish waters closed to commercial fishing and the state fails to remove the markers when new markers are posted to establish waters closed to commercial fishing, commercial fishing is expressly permitted in the waters between the new markers and the old markers until the old markers are removed.

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THE LEGISLATURE OF THE STATE OF ALASKA  
ELEVENTH LEGISLATURE

FISCAL NOTE

I. REQUEST

Bill/Resolution No. SS HB 346

Title An Act relating to fishing area markers

Requested by Resources Committee

Date March 24, 1980

II. FISCAL DETAIL -

Agency Affected Department of Fish and Game

Program Category Affected Natural Resources Management

BRU, Program, or Subprogram(s) Affected Division of Commercial Fisheries

(Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section )

EXPENDITURES (Thousands of Dollars)

	FY 80	FY 81	FY 82	FY 83	FY 84	FY 85
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
<b>TOTAL</b>	-0-	-0-	-0-	-0-	-0-	-0-

FUNDING (Thousands of Dollars)

GENERAL FUND	-0-	-0-	-0-	-0-	-0-	-0-
FEDERAL FUNDS						
OTHER (Specify Fund Source)						

POSITIONS

FULL TIME	-0-	-0-	-0-	-0-	-0-	-0-
PART TIME						
TEMPORARY						

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

There would be no fiscal impact, provided the intent of the Legislature is to have the requirement applied to only the markers established by the Board of Fisheries by regulation or change in regulation, and does not apply to emergency orders or regulations used in season to manage the fisheries. Furthermore, it is recognized that the Department should do a better job when changing markers as required by the Board of Fisheries regulatory action.

IV. DATE March 25, 1980

PREPARED BY Russell H. Clark

AGENCY Department of Fish and Game

PHONE 465-4120

Original Legislative Finance

cc: Budget and Management

Prime Sponsor (Last Legislator Name)

Office of the Governor-Keith Speckling