

SCOMM

#36:21

HB 658

|                     |                                                          |                                       |                                                     |
|---------------------|----------------------------------------------------------|---------------------------------------|-----------------------------------------------------|
| IDENTIFICATION      | "An act relating to proposals for fisheries regulations" |                                       | DATE INTRODUCED<br>2/13/84                          |
|                     | SPONSOR(S)<br>Rep. McBride                               |                                       | RELATED BILLS PENDING                               |
|                     |                                                          |                                       | REFERRALS<br>Resources                              |
| INITIAL RESEARCH    | INITIAL SUMMARY COMPLETED                                | LEGAL DIVISION SUMMARY                |                                                     |
|                     |                                                          | DEPT OF LAW SUMMARY                   |                                                     |
|                     | SPONSOR CONTACTED FOR BACKUP MATERIALS                   | FISCAL NOTE                           |                                                     |
|                     | AGENCY RESPONSE                                          | OTHER INTERESTED LEGISLATORS NOTIFIED |                                                     |
| BACKGROUND RESEARCH | SIMILAR BILLS INTRODUCED IN PREVIOUS LEGISLATURES        |                                       | OTHER STATE OR FEDERAL PRECEDENTS, REGULATIONS, ETC |
|                     | RESPONSES FROM INTERESTED PERSONS AND/OR GROUPS          |                                       |                                                     |
| HEARING PREPARATION | CHAIRMAN BRIEFED                                         | DATE & PLACE SET                      |                                                     |
|                     | STAFF MEMO TO COMMITTEE                                  | TELECONFERENCE                        |                                                     |
|                     | BACKGROUND MATERIAL DISTRIBUTED                          | PSA/PRESS RELEASE                     |                                                     |
|                     | LIST OF WITNESSES                                        | SUGGESTED AMENDMENTS/CS DRAFTED       |                                                     |

Hein  
2027

Introduced: 2/13/84  
Referred: House Special Committee  
on Fisheries and Resources

1 IN THE HOUSE

BY MCERIDE

2 HOUSE BILL NO. 658

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 THIRTEENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to proposals for fisheries regula-  
7 tions."

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

9 \* Section 1. AS 16.05.251 is amended by adding a new subsections to  
10 read:

11 (c) A proposal by an employee of the department for the adop-  
12 tion, repeal, or amendment of a Board of Fisheries regulation may be  
13 submitted to the board; however, a copy of the proposal shall be sent  
14 in a timely manner to the regional fish and game council for each  
15 management region that may be affected by the proposal. All other  
16 proposals for the adoption, repeal, or amendment of a Board of Fish-  
17 eries regulation shall be submitted to the appropriate local fish and  
18 game advisory committees in each management region that may be  
19 affected by the proposal. Each advisory committee shall review the  
20 proposal and, not later than 30 days after receiving the proposal,  
21 shall forward it along with the committee's recommendations to the  
22 appropriate regional fish and game council. A regional council shall  
23 consider the recommendations of all interested advisory committees and  
24 shall either approve the proposal and forward it with the council's  
25 recommendations to the Board of Fisheries for consideration at the  
26 next board meeting or shall reject the proposal and, within a reason-  
27 able time thereafter, provide written notice of the reasons for the  
28 rejection to the person who submitted the proposal. The Board of  
29 Fisheries may not consider a proposal submitted directly to it by a

HB 658

1       person who is not an employee of the department.

2       (d) For purposes of (c) of this section, "regional fish and game  
3       councils", "local fish and game advisory committees", and "management  
4       regions" mean the fish and game councils, committees, and management  
5       regions established by regulation under authority of AS 16.05.260.  
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# ALASKA STATE LEGISLATURE

13th Legislature SECOND Session

HOUSE BILL NO. 558

By MCBRIDE

"An Act relating to proposals for fisheries regulations."

Fisheries Regulations

Introduced in the House 2/13, 1984

## HISTORY IN THE HOUSE

|         |                                                                                                                                                                                                                                                    |      |                |      |      |      |      |        |        |         |         |
|---------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------|----------------|------|------|------|------|--------|--------|---------|---------|
| 19 84   | Read first time and referred to Committee on                                                                                                                                                                                                       |      |                |      |      |      |      |        |        |         |         |
| Feb. 13 | House Special Committee on Fisheries and Resources<br>Reported back with recommendation that                                                                                                                                                       |      |                |      |      |      |      |        |        |         |         |
|         | Read second time and                                                                                                                                                                                                                               |      |                |      |      |      |      |        |        |         |         |
|         | Read third time and                                                                                                                                                                                                                                |      |                |      |      |      |      |        |        |         |         |
|         | <table border="0"> <tr> <td>PASS</td> <td>Effective Date</td> </tr> <tr> <td>Yeas</td> <td>Yeas</td> </tr> <tr> <td>Nays</td> <td>Nays</td> </tr> <tr> <td>Absent</td> <td>Absent</td> </tr> <tr> <td>Excused</td> <td>Excused</td> </tr> </table> | PASS | Effective Date | Yeas | Yeas | Nays | Nays | Absent | Absent | Excused | Excused |
| PASS    | Effective Date                                                                                                                                                                                                                                     |      |                |      |      |      |      |        |        |         |         |
| Yeas    | Yeas                                                                                                                                                                                                                                               |      |                |      |      |      |      |        |        |         |         |
| Nays    | Nays                                                                                                                                                                                                                                               |      |                |      |      |      |      |        |        |         |         |
| Absent  | Absent                                                                                                                                                                                                                                             |      |                |      |      |      |      |        |        |         |         |
| Excused | Excused                                                                                                                                                                                                                                            |      |                |      |      |      |      |        |        |         |         |
|         | Reconsideration                                                                                                                                                                                                                                    |      |                |      |      |      |      |        |        |         |         |
|         | <table border="0"> <tr> <td>PASS</td> <td>Effective Date</td> </tr> <tr> <td>Yeas</td> <td>Yeas</td> </tr> <tr> <td>Nays</td> <td>Nays</td> </tr> <tr> <td>Absent</td> <td>Absent</td> </tr> <tr> <td>Excused</td> <td>Excused</td> </tr> </table> | PASS | Effective Date | Yeas | Yeas | Nays | Nays | Absent | Absent | Excused | Excused |
| PASS    | Effective Date                                                                                                                                                                                                                                     |      |                |      |      |      |      |        |        |         |         |
| Yeas    | Yeas                                                                                                                                                                                                                                               |      |                |      |      |      |      |        |        |         |         |
| Nays    | Nays                                                                                                                                                                                                                                               |      |                |      |      |      |      |        |        |         |         |
| Absent  | Absent                                                                                                                                                                                                                                             |      |                |      |      |      |      |        |        |         |         |
| Excused | Excused                                                                                                                                                                                                                                            |      |                |      |      |      |      |        |        |         |         |
|         | Reported correctly engrossed                                                                                                                                                                                                                       |      |                |      |      |      |      |        |        |         |         |
|         | Signed by Speaker                                                                                                                                                                                                                                  |      |                |      |      |      |      |        |        |         |         |
|         | Sent to Senate                                                                                                                                                                                                                                     |      |                |      |      |      |      |        |        |         |         |

CHIEF CLERK OF THE HOUSE

## HISTORY IN THE SENATE

|         |                                                                                                                                                                                                                                                    |      |                |      |      |      |      |        |        |         |         |
|---------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------|----------------|------|------|------|------|--------|--------|---------|---------|
| 19      | Read first time and referred to Committee on                                                                                                                                                                                                       |      |                |      |      |      |      |        |        |         |         |
|         | Reported back with recommendation that                                                                                                                                                                                                             |      |                |      |      |      |      |        |        |         |         |
|         | Read second time and                                                                                                                                                                                                                               |      |                |      |      |      |      |        |        |         |         |
|         | Read third time and                                                                                                                                                                                                                                |      |                |      |      |      |      |        |        |         |         |
|         | <table border="0"> <tr> <td>PASS</td> <td>Effective Date</td> </tr> <tr> <td>Yeas</td> <td>Yeas</td> </tr> <tr> <td>Nays</td> <td>Nays</td> </tr> <tr> <td>Absent</td> <td>Absent</td> </tr> <tr> <td>Excused</td> <td>Excused</td> </tr> </table> | PASS | Effective Date | Yeas | Yeas | Nays | Nays | Absent | Absent | Excused | Excused |
| PASS    | Effective Date                                                                                                                                                                                                                                     |      |                |      |      |      |      |        |        |         |         |
| Yeas    | Yeas                                                                                                                                                                                                                                               |      |                |      |      |      |      |        |        |         |         |
| Nays    | Nays                                                                                                                                                                                                                                               |      |                |      |      |      |      |        |        |         |         |
| Absent  | Absent                                                                                                                                                                                                                                             |      |                |      |      |      |      |        |        |         |         |
| Excused | Excused                                                                                                                                                                                                                                            |      |                |      |      |      |      |        |        |         |         |
|         | Reconsideration                                                                                                                                                                                                                                    |      |                |      |      |      |      |        |        |         |         |
|         | <table border="0"> <tr> <td>PASS</td> <td>Effective Date</td> </tr> <tr> <td>Yeas</td> <td>Yeas</td> </tr> <tr> <td>Nays</td> <td>Nays</td> </tr> <tr> <td>Absent</td> <td>Absent</td> </tr> <tr> <td>Excused</td> <td>Excused</td> </tr> </table> | PASS | Effective Date | Yeas | Yeas | Nays | Nays | Absent | Absent | Excused | Excused |
| PASS    | Effective Date                                                                                                                                                                                                                                     |      |                |      |      |      |      |        |        |         |         |
| Yeas    | Yeas                                                                                                                                                                                                                                               |      |                |      |      |      |      |        |        |         |         |
| Nays    | Nays                                                                                                                                                                                                                                               |      |                |      |      |      |      |        |        |         |         |
| Absent  | Absent                                                                                                                                                                                                                                             |      |                |      |      |      |      |        |        |         |         |
| Excused | Excused                                                                                                                                                                                                                                            |      |                |      |      |      |      |        |        |         |         |
|         | Reported correctly engrossed                                                                                                                                                                                                                       |      |                |      |      |      |      |        |        |         |         |
|         | Signed by President                                                                                                                                                                                                                                |      |                |      |      |      |      |        |        |         |         |
|         | Returned to House                                                                                                                                                                                                                                  |      |                |      |      |      |      |        |        |         |         |

SECRETARY OF THE SENATE

## HISTORY IN THE HOUSE

|    |                                                                                      |
|----|--------------------------------------------------------------------------------------|
| 19 | Received from Senate                                                                 |
|    | Concurred in Senate amendment thus adopting:<br>VOTE                                 |
|    | Failed to concur in Senate amendment; asked Senate to recede<br>VOTE                 |
|    | Senate receded from amendment<br>VOTE                                                |
|    | Senate failed to recede from amendment<br>VOTE                                       |
|    | CC appointed by House                                                                |
|    | CC appointed by Senate                                                               |
|    | CC adopted by House<br>VOTE                                                          |
|    | CC adopted by Senate<br>VOTE                                                         |
|    | To enrolling<br>Reported correctly enrolled<br>Sent to Governor<br>..... by Governor |
|    | Filed with Lt. Governor                                                              |
|    | Chapter No. ....                                                                     |

# COMMITTEE REPORT

## HOUSE

(7)

FURTHER: RESOURCES

2/13/84

Date: \_\_\_\_\_

The Committee on HOUSE SPECIAL COMMITTEE  
ON FISHERIES has had HB 658

"An Act relating to proposals for fisheries regulations."

under consideration and recommends:

- ☐ 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 ☐ Zero Fiscal Note Attached
- ☐ referred to the \_\_\_\_\_ Committee

MEMBERS SIGNING  
DO PASS

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MEMBERS HAVING  
OTHER RECOMMENDATIONS:

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\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
CHAIRMAN

**STATE OF ALASKA  
THE LEGISLATURE**

**LEGISLATIVE AFFAIRS AGENCY  
LEGISLATIVE REFERENCE LIBRARY**

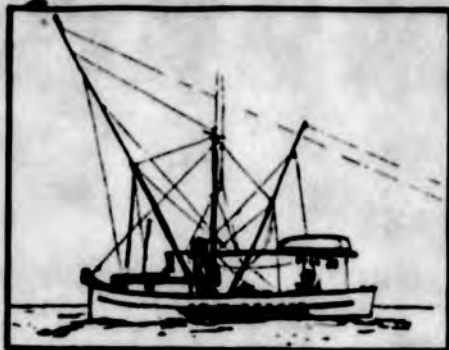
FOUCH V - STATE CAPITOL  
JUNEAU, ALASKA 99811  
907-465-3800

May, 1988

Copies of minutes listed below were originally included in this file. The minutes are available on the STAIRS database CMPR. In order to save space copies of minutes have not been left in the files.

Mary Van Nimwegen

*House Special Comm. on  
Fisheries      3/13/84      3:30 pm  
                         3/15/84      2:30 pm*



# Alaska Trollers Association

REPRESENTING ALASKA POWER TROLLERS

205 North Franklin Street  
Juneau, Alaska 99801  
(907) 586-9400

March 15, 1984

Rep. Adelheid Herrmann, Chairman  
House Special Committee on Fisheries  
Pouch V (MS 3100)  
Juneau, Alaska 99811

To All Special Committee Members:

The Alaska Trollers Association takes pleasure in commenting on the following bills:  
HB 526, HB 563, HB, 658 and HB 645.

HB 526: ATA appreciates the intent of this bill, but will discuss a preferred option after giving specific suggestions as to the contents of this bill and the remaining. In paragraph (a)(1) "maximum sustainable yield" should be replaced with "harvest guideline". Harvest guideline may include maximum sustainable yield (MSY), but often the biological information for some species to define MSY is not available nor are the dollars for research, personnel nor time to define it. Ideally, it is a good idea, but not practical.

In paragraph (b)(1) change "economic" to "income" because as used here this is a more precise and definable term.

In paragraph (d) it should either be written "The Commissioner or the appointed substitute may participate in the development of a Board of Fisheries Management Plan in an advisory capacity" or strike paragraph (d). As written it would undermine the regulatory ability of the Board. The Department should not be allowed to make value judgements, particularly on allocative matters.

HB 563: Local provincial political pressure on a regional fisheries board would lose the objectivity of the Board. ATA believes the objectivity of this bill now being addressed by the new direction of the Board of Fisheries which is to encourage participation, input and direction from local advisory committees and regional advisory councils.

Increased bureaucracy needed to handle the structure of regional boards will decrease the Department's funds for other needed projects and from the committees. That is, the proposed costs will have many hidden costs such as per diem and travel costs to support additional board members which will be detrimental in times of decreasing funds.

Also, the Commissioner should not be seated as a voting member on the master board if the board is to remain non-professional. (And see comments on HB 526(d)).

Most species of fish are migratory and do not respect boundary lines developed by mankind. Many fisheries management plans by regions would overlap authority. In addition to coordination between the regions, often plans have to be developed to comply with the Magnuson Fishery Act and the North Pacific Fisheries Management Council. (i.e. Tanner crab, salmon, herring and groundfish plans now in existence).



HB 658: Again, ATA appreciates the intent of the bill, but feels that since each advisory committee must review each proposal within 30 days hardly anything would get to the regional councils. It is often impossible to get a quorum at advisory committees or regional councils in the summer when everyone is "gone fishing". And it is also difficult in the fall when many are out hunting. (This is Alaska).

Individuals should have the right to submit their proposals and expect consideration of their ideas. While ATA recognizes the importance of committees and councils and encourages their use, we would not like to see the regulation process slowed more. Proper staff and complete data is often not available to make complete and sound judgments. The current system does ask committees to review, discuss and make suggestions on all proposals before they are reviewed by the Board.

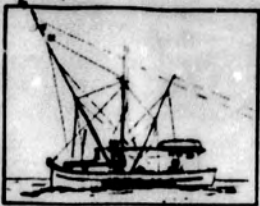
0145 HB 645: The composition of the seven member Board is satisfactory with ATA. If it is deemed politically necessary to expand the Board by two members in order to maintain and preserve the present board system, then we would agree. ATA does support confirmation of the present Board members.

Southeastern Alaska fisheries are as diversified as the entire remaining balance of the State of Alaska. The fisheries include such issues as king, tanner and dungeness crabbing; gillnet and seining herring; herring roe; pot and trawl shrimping; blackcod, halibut and groundfish longlining and jigging; gillnetting, surf setnetting, river setnetting, purse seining and trolling (power and hand) salmon of all species; plus sports and subsistence uses of all the above. Southeast Alaska also has hatchery and enhancement production from Federal, State, regional aquaculture associations and private non-profit groups which require thoughtful and knowledgeable allocation decisions. Plus, we have been deeply involved in negotiations of a treaty between Canada and the United States. For these reasons ATA supported retention of two Southeastern seats on the Board of individuals familiar with the resources.

There has been some discussion of changing the Boards of Fisheries and Game from lay composition to professional. The State of Alaska has established one of the most democratic methods of representation into it's fish and game management of perhaps any state of the Union. (Other states manage with legislation and/or departmental with little opportunity for public input). A professional board would negate much of this process and would allow paid, unbiased, professionals to make resource decisions.

A true, unbiased professional board could not have seated any commercial fisherman, processor, businessman who depended upon the use of the resource in any manner (vessel loans, fish sales, insurance) nor sports, subsistence or personal use fishermen. Where in the State of Alaska could we find seven to nine individuals who have none of the above? Retired bureaucrats perhaps? What would happen to the advisory committee process?

What are the issues? Perhaps it is the composition of the Board. From the 1979 through the 1982 sessions the Board of Fisheries addressed 1,474 proposals of which 203 were sport issues. That is fourteen percent (14%) of the total proposals. Of this 14% only a few were allocative issues. One of the seven Board seats at present is held by a "sportsman". This is also 14% of the total. (Actually, most of the seven present members hold sports licenses and actively sportsfish; just poll them). But this is not the issue.



Alaska  
Trollers  
Association

page 3

0157 We suggest the real issue is representation on allocative problems. ATA does not support legislative mandated allocation guidelines; but rather guidelines suggested by the public. The Boards of Fisheries and Game should hold public hearings throughout the State to develop specific guidelines and criteria for these Boards to follow in all allocative issues. Indeed, this is precisely what the present Board of Fisheries would like to see implemented. Guidelines would eventually take a great part of the politics out of this process and allow the Boards to "get on with their work".

Sincerely,

Earl E. Krygier  
Acting Executive Director

EEK:jmm

STATE OF ALASKA 1984 LEGISLATIVE SESSION  
FISCAL NOTE

Revision Date: \_\_\_\_\_

**REQUEST**

Bill/Resolution No.: HB 658

Title: ...proposals for fisheries regulations.

Sponsor: McBride

Requestor: House Fisheries Committee

Date of Request: \_\_\_\_\_

**FISCAL DETAIL**

Agency Affected: Fish and Game

Program Category Affected: NRMEC

BRU, Program or Subprogram(s) Affected:

Boards of Fisheries and Game

**EXPENDITURES/REVENUES: (Thousands of Dollars)**

|                        | FY 84 | FY 85 | FY 86 | FY 87 | FY 88 | FY 89 |
|------------------------|-------|-------|-------|-------|-------|-------|
| <b>OPERATING</b>       |       |       |       |       |       |       |
| 100 PERSONAL SERVICES  |       |       |       |       |       |       |
| 200 TRAVEL             |       |       |       |       |       |       |
| 300 CONTRACTUAL        |       | 349.5 | 372.0 | 395.6 | 420.4 | 446.4 |
| 400 SUPPLIES           |       | 25.0  | 26.3  | 27.6  | 29.0  | 30.4  |
| 500 EQUIPMENT          |       |       |       |       |       |       |
| 600 LAND & STRUCTURES  |       |       |       |       |       |       |
| 700 GRANTS, CLAIMS     |       |       |       |       |       |       |
| 800 MISCELLANEOUS      |       |       |       |       |       |       |
| <b>TOTAL OPERATING</b> |       | 374.5 | 398.3 | 423.2 | 449.4 | 476.8 |
| <b>CAPITAL</b>         |       |       |       |       |       |       |
| <b>REVENUE</b>         |       |       |       |       |       |       |

**FUNDING: (Thousands of Dollars)**

|               |  |       |       |       |       |       |
|---------------|--|-------|-------|-------|-------|-------|
| GENERAL FUND  |  | 374.5 | 398.3 | 423.2 | 449.4 | 476.8 |
| FEDERAL FUNDS |  |       |       |       |       |       |
| OTHER         |  |       |       |       |       |       |
| <b>TOTAL</b>  |  | 374.5 | 398.3 | 423.2 | 449.4 | 476.8 |

**POSITIONS:**

|           |  |  |  |  |  |  |
|-----------|--|--|--|--|--|--|
| FULL-TIME |  |  |  |  |  |  |
| PART-TIME |  |  |  |  |  |  |
| TEMPORARY |  |  |  |  |  |  |

**SOURCE OF FUNDS TO OFFSET FISCAL IMPACT OF BILL:**

Not specified by sponsor of bill.

**ANALYSIS:** Attach a separate page for analysis

Prepared By: Beverly Reaume *Beverly Reaume* Phone: 465-4210

Division: Administration Date: 3/7/84

Approved by Commissioner: *Oneil* Date: *3-12-84*

Agency: \_\_\_\_\_

**Distribution (by Agency preparing fiscal note):**

Legislative Finance  
Legislative Sponsor  
Requestor  
Office of Management and Budget  
Impacted Agency(ies)

12/1/83

Fiscal Impact Statement for Implementing  
House Bill No 658: Proposals for Fisheries Regulations

Currently in FY 84, travel for Regional Councils and Advisory Committees is budgeted at 449.5. Since each proposal is to be reviewed by the appropriate advisory committee and then forwarded to the Regional Council for approval before it can reach the Board of Fisheries, this will double travel and per diem costs. Increased costs also include advertising, printing and supplies. Screening of proposals by the advisory committees should result in shorter board meetings, thus decreasing the costs associated with these meetings somewhat.