

H J R

27

HOUSE COMMITTEE REPORT

(9)

Date Referred: March 31, 1989

FURTHER REFERRALS:

Date of Committee Action: 5-8-89

The RESOURCES Committee considered:

HJR 27

HOUSE JOINT RESOLUTION NO. 27

[COMPENSATION FOR SALMON INTERCEPTIONS]

Relating to compensation for lost revenue and income caused by high seas interceptions of Alaskan salmon.

RECOMMENDATIONS:

- be replaced with CS HJR 27 (Res) the same title
 a new title
 have attached amendment(s)
 do pass
 do not pass
 no recommendation
 individual recommendations
 additional referral to the _____ Committee

ADOPTS: _____ letter of intent

ATTACHES NEW FISCAL NOTE(s):
(Dept)

APPROVES PREVIOUS:

(Date/Dept)

- fiscal impact _____
 zero fiscal note _____
 zero with analysis _____

- fiscal note(s) _____
 zero fiscal note(s) _____
 zero fn/analysis Revenue 3-31-89

SIGNING DO PASS:

SIGNING:

(Check approx. column)

DO NOT
PASS
No Rec
Amend

Chip Danvers

Bill Hudson

Ben ...

Mike ...

...

(Check approx. column)	DO NOT PASS	No Rec	Amend
<i>Mike ...</i>			<input checked="" type="checkbox"/>

Chip Danvers

Chairman's Signature

ce

STATE OF ALASKA
1989 LEGISLATIVE SESSION

BILL VERSION: HJR 27
PUBLISH DATE: HOUSE 3/31/89

FISCAL NOTE

REQUEST: _____

Revision Date: _____
Title: Compensation for lost revenue and
income caused by high seas interception
Sponsor: Zawacki and Hanley
Requestor: HSCFT&R

Agency Affected: Revenue
BRU: Income & Excise Audit
Components: Operating

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 90	FY 91	FY 92	FY 93	FY 94	FY 95
OPERATING						
PERSONAL SERVICES	0	0	0	0	0	0
TRAVEL	0	0	0	0	0	0
CONTRACTUAL	0	0	0	0	0	0
SUPPLIES	0	0	0	0	0	0
EQUIPMENT	0	0	0	0	0	0
LANDS & STRUCTURES	0	0	0	0	0	0
GRANTS, CLAIMS	0	0	0	0	0	0
MISCELLANEOUS	0	0	0	0	0	0
TOTAL OPERATING	0	0	0	0	0	0
CAPITAL	0	0	0	0	0	0
REVENUE	-	-	-	-	-	-

FUNDING: (Thousands of Dollars)

GENERAL FUND	0	0	0	0	0	0
FEDERAL FUNDS	0	0	0	0	0	0
OTHER	0	0	0	0	0	0
TOTAL	0	0	0	0	0	0

POSITIONS:

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

ANALYSIS: See attached page.

Prepared By: Steven E. Kettel *Steven E. Kettel* Phone: (907) 465-2320
Division: Income and Excise Audit Date: March 30, 1989

Approved by Commissioner: Hugh Malone *Hugh Malone* Date: March 30, 1989
Agency: Department of Revenue

- Distribution (by preparer):
- Legislative Finance
 - Legislative Sponsor
 - Requestor
 - Office of Management and Budget
 - Impacted Agency(ies)

HJR 27
Prepared by:
Steven E. Kettel
Department of Revenue
March 30, 1989

SJR 27 estimates high seas interception of salmon at 2,000,000 fish. To determine the fish tax lost as a result of interception we have made the following assumptions:

- 1) 15% of the fish are Western Alaska Chinooks with an ex-vessel value of \$19.00 per fish.
- 2) 44% of the fish are Bristol Bay Sockeye with an ex-vessel value of \$4.60 per fish.
- 3) 3% of the fish are Western Alaska chums with an ex-vessel value of \$2.80 per fish.
- 4) 38% of the fish are Prince William Sound Coho with an ex-vessel value of \$8.50 per fish.
- 5) All fish are processed by floating processors which pay a 5% raw fish tax.
- 6) No estimate of salmon enhancement tax losses are considered for purposes of this analysis.

<u>Specie</u>	<u># of Fish</u>	<u>Value/Fish</u>	<u>Total Value</u>	<u>Tax(5%)</u>
Chinook	300,000	\$19.00	5,700,000	285,000
Sockeye	880,000	4.60	4,048,000	202,400
Chums	60,000	2.80	168,000	8,400
Coho	<u>760,000</u>	<u>8.50</u>	<u>6,460,000</u>	<u>323,000</u>
	2,000,000		16,376,000	818,800

Proposed Amendments to HJR 27

By Davidson

On page 1, line 13, after "whereas" delete "salmon constitute" and insert "commercial and sport salmon fishing constitutes"

Effect: Expressly notes the importance of both commercial and sport fishing

On page 1, line 14, after "state" insert ", including the Yukon-Kuskokwim-Tanana region, Bristol Bay, Kodiak and the Alaska Peninsula, the Cook Inlet and Prince William Sound regions, and Southeast Alaska,"

On page 1, delete lines 16 through 19 and insert "WHEREAS some of these regions are economically disadvantaged, significant conservation and management problems face the fisheries in many of these regions, and salmon runs in many of these regions have been significantly below forecasts; and"

On page 1, line 20 after "WHEREAS" insert "the"

On page 1, lines 20 and 21, after "runs" delete "in Southeast Alaska and the Kvichak River of Bristol Bay in 1988"

On page 1, lines 21 and 22, after "salmon" delete "in Southeast Alaska and Bristol Bay"

Effect: Gives equal attention to all regions of the state and notes that the regions' fisheries face significant conservation and management problems.

On page 3, line 2, after "tribunal" insert ", if any,"

Effect: Recognizes that we do not know whether there is a tribunal with jurisdiction



Representative Jim Zawacki

Alaska State Legislature

3111 "C" STREET, SUITE 415
ANCHORAGE, ALASKA 99503
(907) 561-2037

WHILE IN JUNEAU
POUCH V
JUNEAU, ALASKA 99811
(907) 465-2719/2693

MEMBER
STATE AFFAIRS COMMITTEE
LEGISLATIVE COUNCIL
FINANCE SUBCOMMITTEE
PUBLIC SAFETY
ANCHORAGE CAUCUS
CO-CHAIRMAN

T E S T I M O N Y

House Resource Committee

HJR 27

by
Representative Jim Zawacki

March 31, 1989

The importance of conservation and protection of Alaska's fisheries is a continuing concern for all Alaskans. This concern is also significant in terms of state and federal relations and responsibilities to assure the anadromous fish of Alaskan origin are protected on the high seas.

The issues addressed in HJR 27 ask the President of the United States to bring an action before the appropriate international tribunal for recovery of damages on behalf of the State of Alaska and the commercial fishermen of Alaska for revenue and income lost as a consequence of the illegal high seas interception of salmon in violation of the treaty or agreement.

Secondly, the President of the United States is asked to renegotiate existing treaties and agreements with Japan, and South Korea, and negotiate an agreement with Taiwan to provide procedures whereby individual fishermen, fishermen's associations, and the state may recover damages from foreign fishing companies for income and revenue lost due to high seas interception of salmon in violation of the treaty or agreement.

Finally, Congress is asked to establish a fund to reimburse Alaska fishermen and the State of Alaska for the income and revenue lost by the high seas interception of Alaska salmon and that the fund be financed by a tariff on fishery products originating in those nations whose fishermen are intercepting Alaska salmon on the high seas.

Since most of the Pacific coast states are affected by high seas interceptions of anadromous fish originating within their waters, it is imperative that Pacific coast states be informed of solutions sought in Alaska to remedy the high seas interception of salmon.

T E S T I M O N Y

House Resource Committee

HJR 27

by
Dr. David C. Harrison
Commercial Fisherman
Bristol Bay, Alaska

March 31, 1989

Most Pioneer Alaskans remember when US Fish and Wildlife within the Department of Interior managed, conserved and protected the fisheries of the Territory of Alaska. Since statehood, Alaska Department of Fish and Game has been responsible for managing the fisheries.

My first experience as a commercial fisherman was as a boat puller, now understood as a crewman on a double ender converted sailboat in Bristol Bay on the Nushagak River. I have been fishing more than 30 years and great changes have taken place on the high seas and in our State waters. Those changes cry for help in preserving our fisheries.

There have been times when the foreign high seas interceptions nearly closed down Bristol Bay fisheries from False Pass to all of Bristol Bay. The taking of immature salmon on the high seas is most wasteful and must be stopped. It is most difficult to manage the fisheries when the people in charge do not know how much fish have been taken of a particular year. Certain management escapement goals are very difficult to meet when one and two year fish are caught on the high seas.

In 1963, I witnessed the rape of the high seas fisheries to the extent that fishermen did not make expenses, begged for five dollars to buy fuel to go up river to their homes in order to hunt for game to have something to eat. Also, I have seen hungry school children that were too weak to work hard at school. In fact, as a teacher in Dillingham, we raised money through card games held in the school house every Friday night. The money was used to buy food for our school hot lunch program. We bought food in the town stores to aid our local economy.

As state senator from Bristol Bay in those lean years, I asked Governor Egan to declare Bristol Bay a disaster area in order to obtain food, fuel, clothing for rural resident of the entire Western area of Alaska. It took both state and federal efforts to bring emergency food to the people of Bristol Bay, Alaska. This should never have happened. We have the right to expect better things from the federal congress and from our state legislators in reducing high seas interceptions. I urge quick passage of HJR 27 in order help to set things straight for all Alaskans.

Tho we have a present emergency in our state waters, we must not lose sight of the conservation, protection and enhancement of the fisheries.



Official Business

Alaska State Legislature

April 14, 1989

Pouch V
State Capitol
Juneau, Alaska 99811

FROM: Dr. David C. Harrison
Legislative Staff

TO: Representative Jim Zawacki

Attn: Representative Cliff Davidson, Co-chair
House Resource Committee

Re: HJR 27 Compensation for U.S. citizens and for the State of
Alaska - jurisdiction.

U.S. Constitution - Judicial power and process for compensation.

Article III

Section 2 (1) The judicial power shall extend to all cases, in law and equity, arising under this Constitution, the laws of the United States, and treaties made, or which shall be made, under their authority;... to all cases of admiralty and maritime jurisdiction; -- to controversies to which the United States shall be a party; -- or the citizens hereof, and foreign States, citizens or subjects.

Clearly the Court and the Congress have adequate power to bring to justice in law and fact regarding the high seas interceptions affecting commercial fishermen in Alaska and on behalf of the State of Alaska. How to technically do this will be left up to Congress and the Supreme Court.

Although the State of Alaska is limited in its power to deal adequately on its own with foreign nations, our fundamental right to petition the Congress and the President to act on our behalf is an urgent matter in law and equity regarding high seas felonies and in regard to protection and conservation of salmon based upon Congressional enactments in the last decade or more.

How to technically bring to justice foreign states and foreign citizens intercepting high seas salmon should not be reason to delay petitions to the Congress or the President. Constitutional judicial powers are in place to do this now. HJR 27 expresses a fundamental right to petition the President and the Congress to resolve problems citizens of Alaska, Americans have with foreign states and their citizens.

Article III

Section 2 (2) In all cases affecting... and those in which a State shall be a party, the Supreme Court shall have original jurisdiction.

The U. S. Constitution provides a balancing act between the U. S Supreme Court both as to law and fact, with exceptions, and under such regulations as the Congress shall make.

HJR 27 if passed by the Sixteenth Legislature will be speaking on behalf of the people of Alaska to a grievance that should be resolved quickly. To delay passage of HJR 27 is to deny fishermen and the State the right to begin a process that must be resolved. If in our responsibilities, we are to succeed in conserving and protecting the fisheries of Alaska this process can and must begin now with immediate passage of HJR 27.

Article III

Section 2 (3) The trial of all crimes...shall be by a jury...but when not committed within any State, the trial shall be at such place or places as the Congress may by law have directed.

HJR 27 simply asks the President to do certain things and the Congress and the Supreme Court will react in terms of their constitutionally assigned duties to resolve complaints to all cases of admiralty and maritime jurisdiction.

Article IV

Section 2 (2) The Congress shall have power to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States; and nothing in this Constitution shall be so construed as to prejudice any claims of the United States, or of any particular state.

The power of Congress to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States certainly relates to the Presidential Order establishing the 200 mile Economic Zone and the property rights of the people of Alaska regarding anadromous fish it raises, conserves and attempts to protect.

In fact and law there is established a need to petition for the protection of certain rights established by law for U.S. citizens of Alaska

Article VI

Section (2) This Constitution, and the laws of the United States which shall be made pursuance thereof; and all treaties made, or which shall be made, under the authority of the United States, shall be the supreme law of the land....

Treaties made with Japan, South Korea and General International Fisheries Agreements (GIFA) as made or agreed thereto constitute part of the Supreme law of the land. Taiwan at present does not have any fisheries agreements with the United States - yet is considered by some to be the worst offender on high seas interceptions under their squid operations.

Section 8 (1) The Congress shall have power to lay and collect taxes, duties, imposts and excise, to pay the debts and provide for the common defense and general welfare of the United States.

The general welfare of the commercial fishermen and the general welfare of the State of Alaska certainly are affected by the interceptions of high seas salmon of anadromous origin. HJR 27 helps provide for the petition process whereby citizens and states may request compensation for high seas interceptions.

(10) To define and punish piracies and felonies committed on the high seas, and offenses against the law of nations.

Certainly, customary international law recognizes the need to protect anadromous fish on the high seas and Japan, S. Korea and Taiwan must be brought before the bar of justice in violating customary international law as now recognized.

(11) To declare... grant... reprisal, and make rules concerning captures on land and water.

In 1964, as state senator from Bristol Bay, I introduced a bill whereby the Governor of the State of Alaska could legally seize foreign ships within Alaska's territorial waters. Governor Egan under state law seized a Japanese vessel fishing off Kodiak within 1 1/2 miles off shore.

(18) To make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this Constitution in the government of the United States, or in any department or officer thereof.

Basically, the Congress and the judicial power of the courts so vested can find a way to seek justice for the people of Alaska and the State based upon HJR 27 requests. To delay HJR 27 passage is to delay justice sought which rightfully belongs to the people of Alaska.



Alaska State Legislature

Official Business

March 29, 1989

Pouch V
State Capitol
Juneau, Alaska 99811

MEMORANDUM

FROM: David C. Harrison, Aide *DCH*

TO: Rep. Jim Zawacki

RE: HJR27 FOREIGN TRADE COMMITTEE HEARING 3/30/89 Noon Beltz Room

1. Testimony by Rep. Jim Zawacki Sponsor of HJR 27.
2. Testimony by Dr. David C. Harrison, Legislative Staff.
3. Memo from Jim Zawacki to all House Members requests co-sponsorship.
4. HJR 27 Copy 2/17/89 Co-Sponsors Hanley (R) Lemon (R) Collins (R), Sharp (R) Miller (R) Martin (R) Taylor (R) Furnace (R) Hudson (R) Swackhammer (D) Boucher (D)
5. Memo from David to Jim some U. S. Constitutional observations how compensations may be possible; because of treaties, high seas felonies, admiralty and maritime jurisdiction. (10) Congress for example - To define and punish piracies and felonies committed on the high seas, and against the law of nations.
6. Bristol Bay Native Corporations endorses HJR 27. ✓
7. Western Alaska Cooperative Marketing Association endorses HJR27.
8. Bristol Bay Herring Marketing Co-op endorses HJR 27.
9. Bristol Bay Driftnetters' Association endorses HJR 27.
10. Kotzebue Fisherman's Association Endorses HJR 27.
11. City of Manokotak - Mayor supports HJR 27.
12. Bristol Bay Borough recommends action on HJR 27 (Good letter).
13. City Council of Mountain Village endorses HJR 27 for Yukon area.
14. North Slope Borough Mayor supports HJR 27 and its probable impact.
15. North Slope Borough supports HJR 27.
16. City and Borough of Sitka supports HJR 27.
17. Fiscal Note from Department of Revenue
18. Alaska Independent Fishermens' Marketing Association phoned their support for HJR 27 on 3/30/89.

19. *Memo on Bristol Bay Borough, Ketchikan & Sitka with Boroughs*

RE TO TX 453314

POB 28086 ANCHORAGE ALASKA 15 12-27 1138A AST

PMS REP JIM ZWACKI

POUCH U

JUNEAU AK 99811

BRISTOL BAY NATIVE CORPORATION SUPPORTS THE ADOPTION OF HOUSE
RESOLUTION #27.

DONALD F. NIELSEN, EXECUTIVE VICE PRESIDENT

BRISTOL BAY NATIVE CORPORATION

800 CORDOVA, SUITE 42

ANCHORAGE, ALASKA 99501

RE TO TX 453314

POB 28086 ANCHORAGE ALASKA 15 12-27 1138A AST

PMS REP JIM ZWACKI

POUCH U

JUNEAU AK 99811

BRISTOL BAY NATIVE CORPORATION SUPPORTS THE ADOPTION OF HOUSE
RESOLUTION #27.

DONALD F. NIELSEN, EXECUTIVE VICE PRESIDENT

BRISTOL BAY NATIVE CORPORATION

800 CORDOVA, SUITE 42

ANCHORAGE, ALASKA 99501

WESTERN ALASKA
COOPERATIVE MARKETING ASSOCIATION

1

(907) 842-5592 • BOX 213 • S'LLINGHAM, ALASKA 99576

March 15, 1989

Representative Jim Zawacki
State of Alaska
House of Representatives
Pouch V
Juneau, Alaska 99811

Dear Jim:

On behalf of WACMA's Board of Directors, I would like to take this opportunity to state that our organization does appreciate your work on House Joint Resolution Number 27 and do support all of your efforts concerning the high seas interception issue.

I did receive your March 3rd letter and have followed up on your concerns, plus passed on that letter to a few of the other commercial fishing organizations within Bristol Bay Region.

Therefore, our letters are now in the mail to George Jacko's office.

Sorry I did not get a chance to visit you while I was down for the UFA meeting, but, unfortunately I broke my leg and spent that time in Bartlett Memorial Hospital. Not much fun.

Hopefully, I will be able to visit with you in a month or so. I still have to go down and do some work at UFA's office.

Once again, thank you for the information.

Sincerely,



David M Jackson



BRISTOL BAY HERRING MARKETING CO-OP

February 23, 1989

Representative Jim Zawacki
Attention: Dr. David C. Harrison
Alaska State Legislature
P.O. Box Y. State Capitol
Juneau, Alaska 99811

Dear Representative Zawacki:

On behalf of the BBHMC, I would like to extend our support for House Joint Resolution No. 27 "Relating To Compensation For Lost Revenue And Income Caused By High Seas Interceptions Of Alaskan Salmon".

Our cooperative is made up of almost 200 Bristol Bay resident herring fishermen who also fish salmon each summer within the Bristol Bay region. We all recognize the harm not only to our salmon resource, but the economic well being of our citizens due to the illegal high seas interceptions of Bristol Bay origin salmon species.

We are appreciative of any of the efforts you have done to address this long standing problem. It is certainly a very complicated problem politically, however due to the decreased runs of salmon to our area, the undercutting of international sales of our salmon, and the direct and adverse economic impact to our fishermen, something must be done soon to correct this problem.

We will continue to support any of your efforts on the high seas interception issue.

Thank you.

Sincerely,

William H. Nicholson,
President

Joe McGill,
Vice-President

BRISTOL BAY DRIFTNETTERS' ASSOCIATION

3605 Arctic Blvd., Suite 742 Anchorage, Alaska 99503

(907)562-2161, Ext. 742

March 14, 1989

Rep. George Jacko, Chairman House
Special Foreign Trade Committee
Pouch V
Juneau, AK 99811

Dear Representative Jacko:

In behalf of the membership of Bristol Bay Driftnetter's Association, I am writing to urge your support for HJR 27, now in your committee. We believe passage of this measure would be of immense benefit to people of your district, as well as to the entire state and nation.

We realize of course, that the chances of either the fishermen or the State of Alaska receiving an award as compensation for lost income and revenue are remote. We should not, however, allow this to prevent us from using this issue as a means to call attention of Americans nationwide to the unfair situation which has existed for years relative to high seas interceptions of our salmon.

The interception has been increasing and will inevitably worsen before we can expect a reversal of the situation, makes attention-getting measures like HJR 27 far more important now than ever before.

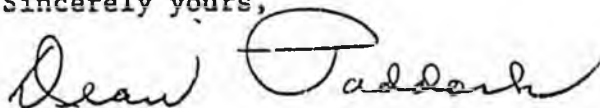
Tho we may not expect instant realization of the stated goals of the resolution, one cannot consider the measure to be frivolous in any way. The precedent for claims of this nature have been set at the very highest level of our government because such claims appeal to the basic American sense of fair play.

If the salmon fishermen of Alaska ever see a resolution of the high-seas interception problem, it will be due to a nationwide recognition that a cessation of such high-seas interceptions is demanded in the spirit of fair play.

We believe further, that this proposal strikes at the heart of the present problem because it calls national attention to the far-reaching economic impacts of the high-seas fisheries. Americans understand and want fair play; they also understand things which hit them in the pocketbook- individually and nationwide.

Again, we urge you to seek timely and favorable treatment for HJR 27. Thank you for your consideration.

Sincerely yours,



Dean Paddock, Executive Director
Bristol Bay Driftnetters Association

Kotzebue Fisherman's Association
Kotzebue, Alaska 99752
March 15, 1989

Rep. George Jacko, Chair
Special Committee on International Trade
Pouch V
Juneau, Alaska 99811

Dear Rep. Jacko:

The Kotzebue Fisherman's Association supports HJR 27 and recommends its passage ASAP. It would seem only logical to have Sea Pirates pay compensation to Alaska's fishing industry for robbing fish bound for Alaska's streams. What is allowed to happen to Alaska's fish on the high seas, even within America's 200 mile boundary, is criminal. Alaska's fisherman suffer economic hardship because of this and will continue to do so until drastic measures are taken by congress to insure protection of our fish resources.

Our Association commends you and your colleagues for your efforts to protect Alaska's fisheries interests. Thanks.

Sincerely,

Robert T. Schaeffer
Pres.. Kotzebue Fisherman's Association

cc: Senator Al Adams
Rep. E. MacLean
Senate Pres. Tim Kelly
Speaker of House Sam Cotton

City of Manokotak

(907) 289-1027

Mayor Wassillie Tugatuk, Sr.
P. O. Box 170
Manokotak, Alaska 99628

House Bill #HJR-27

~~The Mayor of Manokotak supports the Bill #HJR-27~~

~~on behalf of the fisherman of Manokotak~~

~~Please move this Bill, as soon as possible~~

Please move it out of the present committee that it is in.

112

JIM D. CLARK
BOROUGH MANAGER



TELEPHONE
(907) 246-4224

Bristol Bay Borough

Box 189 • NAKNEK, ALASKA 99633

March 17, 1989

Representative George Jacko
House of Representatives
Pouch V
Juneau, AK 99811

Dear Representative Jacko:

I am writing in regards to HJR 27 introduced by Representative Jim Zawacki. The Bristol Bay Borough is recommending action on HJR 27, and your position as Chairman of Special Committee on International Trade affords you the opportunity to get this bill moving. We need to wake up Washington as to what is happening and how much this situation is costing Alaskans and the State of Alaska in lost income.

Sincerely,

Fred W. Pike
Mayor

cc: Rep. Jim Zawacki ✓

CITY COUNCIL OF MOUNTAIN VILLAGE

P.O. BOX 32085
MOUNTAIN VILLAGE, ALASKA 99632
(907) 591-2929 or (907) 591-2232

Meeting # 179

The Honorable City Council
2111 D Street, Suite A1E
Fairbanks, Alaska

Dear Mayor and City Council:

The City Council of Mountain Village, Alaska respectfully
requests you to support legislation for a
change in fishing laws to include the introduction of Alaskan
Salmon.

With recent declines in fish stocks, the residents of the
area have seen their own commercial fishery and
salmon stocks depleted by commercial fishing. The
fisheries are being depleted and the fish stocks
are decreasing. This is an additional and devastating blow to
local wildlife depending on fish stocks.

We urge the legislature to endorse and support some
changes. Changes will hopefully have a positive impact on
the area and the local fishermen.

Thank you for your efforts.

Esther A. Brown
Mayor, Mountain Village

Carol Meye
City Council Member

Sherry Wilder
City Council Member

Laura Peterson
City Council Member

Harvey Walters
City Council Member

Ernest Beans
City Council Member

Very truly yours,
City Council of Mountain Village

NORTH SLOPE BOROUGH

OFFICE OF THE MAYOR

P.O. Box 69
Barrow, Alaska 99723

Phone: 907-852-2611

George N. Ahmaogak, Sr., Mayor



NORTH SLOPE BOROUGH ON HOUSE JOINT RESOLUTION # 27

The North Slope Borough supports House Joint Resolution # 27, relating to compensation for lost revenue and income caused by the high seas interception of Alaskan salmon. It is clear that such interceptions, primarily by Japan, South Korea, and Taiwan, represent a great threat to both the economic well-being of Alaskan residents, and the continued viability of the Alaskan salmon stock. The resolution could perhaps be strengthened by placing further emphasis on the need to protect the fish stocks, and the proper allocation of the burden in this regard. Suggested additional clauses are as follows:

WHEREAS, the State of Alaska and Alaskan fisherman carefully and intensively manage the Alaskan harvest of salmon to insure the continued viability of the salmon stock; and

WHEREAS, the high seas interception of Alaskan salmon by foreign fleets is undertaken without regard for the continued well-being of the salmon stock; and . . .

These points are somewhat distinct from those already contained in the bill, and should not unduly lengthen the document.

govaff/rescl.27/k



City and Borough of Sitka

304 LAKE STREET . SITKA, ALASKA . 99835

March 20, 1989

Representative George Jacko
Special Committee on International Trade
Alaska State House of Representatives
Pouch: V
Juneau, Alaska 99811

The Assembly of the City and Borough of Sitka has gone on record in support for HJR 27, requesting compensation to commercial fishermen and the State of Alaska for high seas interception of salmon by foreign nations.

We understand this resolution has not yet been considered by the Special Committee on International Trade. The Committee's prompt consideration of this resolution is encouraged. Please move on HJR 27 soon.

Thank you for your consideration of this request.

Sincerely,

Stuart Denslow
Administrator

cc: Rep. Jim Zawacki



Representative Jim Zawacki
Alaska State Legislature
PO Box Y, State Capitol
Juneau, AK 99811

March 29, 1989

ATTN: Dr. David Harrison

Dear Representative Zawacki:

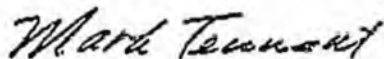
On behalf of SEACOPS, I would like to express our strong support for House Joint Resolution No. 27 "Relating to Compensation for Lost Revenue and Income Caused by High Seas Interception of Alaska Salmon."

Our non-profit corporation is made up of over 1000 members representing not only commercial fishermen, but also the sports fishing and environmental communities. Public indignation over this high seas piracy is at a high level, but until the national government takes decisive action, our fishing community is going to continue to suffer serious economic loss. We are enclosing a partial copy of an economic report by the Economic Development Center of the University of Alaska-Southeast which estimates the 1988 loss in revenue to the pink salmon fishery of Southeast Alaska.

As an organization dedicated solely to eliminating high seas salmon/steelhead interception, we back this measure which is intended to alleviate any adverse economic impact.

We appreciate and support your efforts in dealing with this issue.

Sincerely,



Mark Tennant
Pres., SEACOPS

U U

FILE COPY

An Estimate of Lost Revenue to Fishermen,
Processor Employees and Processors
Due to the High Seas Interception
of Southeast Alaska's Pink Salmon

Economic Development Center

UAS - Ketchikan

January 5, 1989

S.E.A.C.O.P.S.
700 WATER STREET-UPPER
KETCHIKAN, ALASKA 99901
(907) 225-8004

Summary

At the request of SEACOPS the following estimates of lost revenue due to high seas salmon interception were developed at the Economic Development Center, UAS-Ketchikan.

It is difficult to find a single measure of income from the Southeast Alaska salmon fishery (ex-vessel price for fish, wages to fishermen and processor employees, wholesale price for the processed fish, the processor's net income after production costs) with which to estimate the losses due to high seas salmon interception. Each one only tells part of the story and to add them together results in either mixing apples and oranges or counting the same dollar twice. For this report I have tried to estimate only two kinds of lost income: 1. The personal income to fishermen (crew shares) and to processor employees (wages) and 2. The net operating income (income after production costs have been subtracted) to boat owner/operators and processors.

To estimate the lost revenue, a hypothetical 1988 salmon season was constructed based on the salmon returns that had been predicted for Southeast Alaska by the Alaska Department of Fish & Game. This hypothetical season was then compared to the actual 1988 salmon season in Southeast Alaska. Estimates for the number and weight of salmon caught in Southeast Alaska in 1988 are from Alaska Department of Fish & Game (ADF&G) harvest estimates (as of 9/30/88). Ex-vessel

and wholesale prices for Southeast Alaska salmon are from the National Marine Fisheries Service's "Fishery Market News" with some adjustments based on interviews with Southeast Alaska fishermen and processors. Estimates of production and labor costs are from Southeast Alaska cannery and cold storage operators.

Apart from the difference between the number of salmon that actually returned and the number that were predicted there are three other variables that have been factored into the hypothetical season:

1. An increase in the amount of fishing time for seiners, drift gillnetters and trollers as a result of there being more pinks and cohos
2. An adjustment in the ex-vessel price (the price of the fish paid by the processor to the fisherman) of almost all salmon species due to the greater volume of fish harvested
3. An adjustment in the per unit wholesale value of the catch due to a greater volume of fish on the market.

With all of the above taken into account the revenue lost in the Southeast Alaska salmon fishery due to high seas salmon interception is estimated to be:

\$ 25.8 million to fishermen

\$ 7.7 million to processor employees

\$ 54.7 million to processors

In the process of preparing this report two significant future losses due to high seas interception surfaced: 1. Diminished future runs of chum and coho due to over fishing on the high seas and 2. Lost customers for canned and fresh salmon due to increases in price and a scarcity of product. Estimating these losses was beyond the scope of this report even though in time they will probably dwarf the losses that are estimated here.



KETCHIKAN GATEWAY BOROUGH

344 Front Street
Ketchikan, Alaska 99901
(907) 225-6151

March 30, 1989

The Honorable George Jacko
Chair, Special Committee on
International Trade
House of Representatives
P.O. Box V
Juneau, Alaska 99811

HJR 27 RELATING TO COMPENSATION FOR LOST REVENUE AND INCOME CAUSED
BY HIGH SEAS INTERCEPTIONS OF ALASKAN SALMON

The Ketchikan Gateway Borough Assembly is vitally concerned about the severe adverse economic effects on our commercial fishing industry caused by illegal foreign harvest of immature Alaskan salmon on the high seas. HJR 27 is one of many solutions which must be pursued to protect Alaska's fishing industry. Your immediate positive efforts to move this resolution are encouraged and would be appreciated.

Georgianna Booth

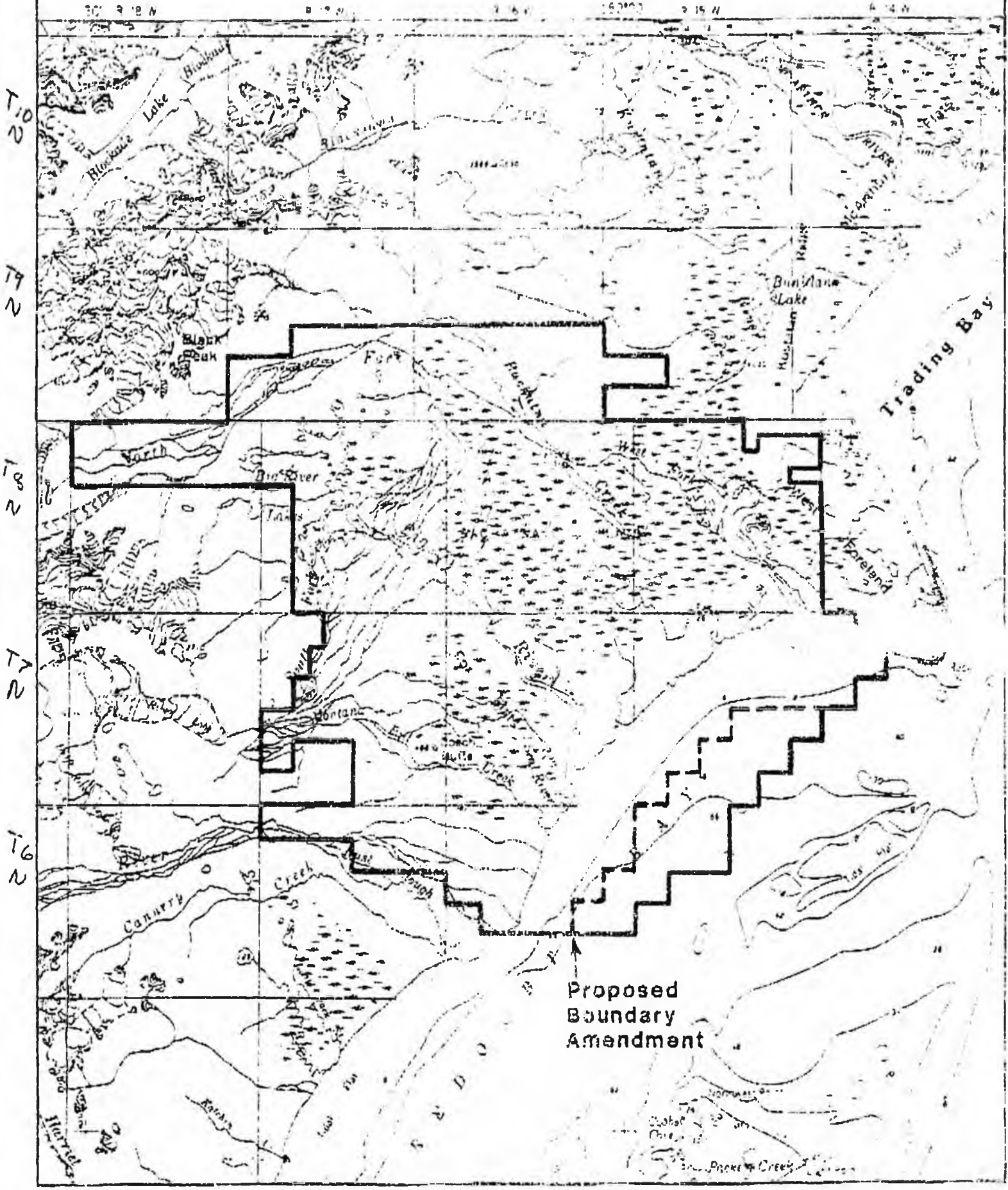
Georgianna Booth
Borough Clerk for

Ralph G. Gregory
Borough Mayor

c The Honorable Jim Zawacki

3/3/86

(Proposed) Redoubt Bay Critical Habitat Area



6-0747E ✓
Utermohle
5/6/89

Original sponsors: Zawacki, Hanley,
Leman, et al.

1 IN THE HOUSE

BY THE RESOURCES COMMITTEE

2 CS FOR HOUSE JOINT RESOLUTION NO. 27 (Resources)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 SIXTEENTH LEGISLATURE - FIRST SESSION

5 Relating to compensation for lost reve-
6 nue and income caused by high seas
7 interceptions of Alaskan salmon.

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

9 WHEREAS salmon are the mainstay of the Alaska fishing industry and are
10 the primary source of income for Alaska fishermen; and

11 WHEREAS the Alaska salmon fishery is a direct and indirect source of
12 revenue for the State of Alaska; and

13 WHEREAS commercial and sport salmon fishing constitutes the primary
14 economic base of many coastal and river communities of the state, including
15 the Yukon-Kuskokwim-Tanana region, Bristol Bay, Kodiak and the Alaska
16 Peninsula, the Cook Inlet and Prince William Sound regions, and Southeast
17 Alaska; and

18 WHEREAS some of these regions are economically disadvantaged, signifi-
19 cant conservation and management problems face the fisheries in many of
20 these regions, and salmon runs in many of these regions have been signifi-
21 cantly below forecasts; and

22 WHEREAS salmon are the principal component of the subsistence economy
23 of most villages in the state; and

24 WHEREAS the poor salmon runs and the increased incidence of net marked
25 salmon have focused attention on the high seas interception of Alaska
26 salmon; and

27 WHEREAS Japan, South Korea, and Taiwan conduct major high seas fisher-
28 ies for squid, groundfish, and other types of fish and these fisheries
29 intercept salmon from Alaska and other Pacific Coast states; and

1 WHEREAS it is estimated that the Japanese land-based and mothership
2 fleets alone could be intercepting as many as 2,000,000 salmon each year;
3 and

4 WHEREAS there have been recurring reports of large quantities of
5 illegally harvested salmon being sold in Europe and Asia; and

6 WHEREAS the National Marine Fisheries Service has concluded that an
7 enormous volume of salmon caught by foreign fishermen is being sold on
8 European markets; and

9 WHEREAS the illegal harvest and sale of Alaska salmon by foreign
10 fishing fleets are undercutting international sales of salmon by Alaska
11 fishermen and are having significant adverse economic effects on residents
12 of Alaska; and

13 WHEREAS the fishermen of Alaska cannot afford the direct loss of
14 salmon destined for Alaska fisheries and the indirect loss of income due to
15 unfair competition from the illegal sale of salmon that Alaska fishermen
16 otherwise would have caught; and

17 WHEREAS the State of Alaska cannot afford the loss of revenue it
18 derives from the salmon fishery and the increased cost of social services
19 to economically depressed salmon fishing communities; and

20 WHEREAS illegal high seas interceptions of Alaska salmon deprive the
21 State of Alaska of an economic return on its substantial investment in the
22 state's fishing and processing industries; and

23 WHEREAS it is difficult for individual fishermen or the State of
24 Alaska, without the cooperation of the federal government, to obtain com-
25 pensation for the loss of the Alaska salmon resource caused by foreign high
26 seas fishing fleets; and

27 WHEREAS customary international law recognizes that all nations have a
28 duty to cooperate in conserving salmon stocks on the high seas; and

29 WHEREAS the federal government has an obligation to protect the
CSHJR 27(Res)

1 interests of its citizens and the states from the illegal actions of
2 foreign nations and citizens of those nations;

3 BE IT RESOLVED that the Alaska State Legislature respectfully requests
4 the President of the United States to bring an action before the appropri-
5 ate international tribunal, if any, for recovery of damages on behalf of
6 the State of Alaska and the fishermen of Alaska for revenue and income lost
7 as a consequence of the illegal high seas interception of Alaska salmon;
8 and be it

9 FURTHER RESOLVED that the Alaska State Legislature respectfully re-
10 quests the President of the United States to renegotiate existing fishery
11 treaties and agreements with Japan, South Korea, and Taiwan to provide
12 procedures whereby individual fishermen, fishermen's associations, and the
13 states may recover damages from foreign fishing companies for income and
14 revenue lost due to high seas interception of salmon in violation of the
15 treaty or agreement; and be it

16 FURTHER RESOLVED that the Alaska State Legislature respectfully re-
17 quests the Congress to establish a fund to reimburse Alaska fishermen and
18 the State of Alaska for the income and revenue lost by the high seas inter-
19 ception of Alaska salmon and that the fund be financed by a tariff on
20 fishery products originating in those nations whose fishermen are inter-
21 cepting Alaska salmon on the high seas.

22 COPIES of this resolution shall be sent to the Honorable George Bush,
23 President of the United States; the Honorable Dan Quayle, Vice-President of
24 the United States and President of the U.S. Senate; the Honorable James A.
25 Baker, III, U.S. Secretary of State; the Honorable Robert Mosbacher, U.S.
26 Secretary of Commerce; the Honorable Jim Wright, Speaker of the U.S. House
27 of Representatives; the Honorable George Deukmejian, Governor of the State
28 of California; the Honorable Leo T. McCarthy, President of the Senate of
29 the State of California; the Honorable Willie Lewis Brown, Jr., Speaker of

1 the Assembly of the State of California; the Honorable Cecil D. Andrus,
2 Governor of the State of Idaho; the Honorable C. L. Otter, President of the
3 Senate of the State of Idaho; the Honorable Tom Boyd, Speaker of the House
4 of Representatives of the State of Idaho; the Honorable Neil Goldschmidt,
5 Governor of the State of Oregon; the Honorable John Kitzhaber, President of
6 the Senate of the State of Oregon; the Honorable Vera Katz, Speaker of the
7 House of Representatives of the State of Oregon; the Honorable Booth
8 Gardner, Governor of the State of Washington; the Honorable Joel Pritchard,
9 President of the Senate of the State of Washington; the Honorable Joseph E.
10 King, Speaker of the House of Representatives of the State of Washington;
11 and to the Honorable Ted Stevens and the Honorable Frank Murkowski, U.S.
12 Senators, and the Honorable Don Young, U.S. Representative, members of the
13 Alaska delegation in Congress.

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