

S J R

33

Senator John Binkley

Senate Finance Committee

P.O. Box V • Juneau, Alaska 99811 • (907) 465-4985



Finance Committee
Co-Chairman

MEMORANDUM

April 21, 1989

TO: Representative Cliff Davidson, Co-Chairman
Representative Curt Menard, Co-Chairman
House Resources Committee

FROM: Senator John Binkley *John Binkley*

RE: SJR 33

I appreciate your scheduling a hearing for SJR 33, "relating to reauthorization of the Magnuson Act", in your committee next Monday. The House Merchant Marine and Fisheries Committee is holding its first hearing on Magnuson Act reauthorization in Washington, D.C. on May 2, about 10 days from now. I believe it is vital that the Legislature pass this resolution as quickly as possible in order to convey the importance of these issues to Congress.

With that in mind, I have reviewed some of the amendments your committee is proposing for SJR 33. While I have no particular objection to most of these amendments, I am very concerned that key issues that have been highlighted by the fishing industry and by the Department of Fish and Game, and that are already in SJR 33, might lose some of their significance if too many specific and technical amendments are added to the resolution. (I really don't want this to turn into another SJR 6!)

In discussions with the Congressional delegation, their staff and with the Cowper administration, my sense of what is needed is a simple resolution urging reauthorization of Magnuson, stressing its importance, and focusing on some of the key concepts that need to be addressed in this process. I don't think we're at the point yet of having to provide a complete laundry list of all the specific amendments that the state would like to see in the final package.

I would appreciate your keeping these thoughts in mind as you review this resolution. Thank you.

THE FOLLOWING DOCUMENT MAY NOT FILM
LEGIBLY BECAUSE OF THE POOR QUALITY OF THE
ORIGINAL

STATE OF ALASKA

STEVE COWPER, GOVERNOR

DEPARTMENT OF FISH AND GAME

P.O. BOX 28000
JUNEAU, ALASKA 99802-2000
PHONE: (907) 465-3100

OFFICE OF THE COMMISSIONER

March 29, 1989

The Honorable Betty Fahrenkamp
Alaska State Senator
P.O. Box V
Juneau, AK 99811

Dear Senator Fahrenkamp:

We appreciate the opportunity to bring you up to date on the state's efforts to formulate amendments to the Magnuson Fishery Conservation and Management Act (MFCMA) as you consider Senate Joint Resolution 33 relating to Congressional reauthorization of this Act.

The Magnuson Act originally established a regime for managing fisheries that provides for adequate conservation and appropriate allocation of fishery resources among users. This law, originally enacted in 1976, is the most important fisheries management legislation developed by Congress. The underlying principles set forth by the Magnuson Act provide critical guidance for management of fisheries species economically important to Alaska, nearby states of the Pacific Northwest, and throughout the nation.

The state supports Congressional action necessary for reauthorization and the continuation of the basic principles set forth by the Magnuson Act. However, we are also interested in potential amendments to strengthen the Act and address specific issues. As you may know, Congress will begin hearings on reauthorization in May of this year. The Administration has formed a workgroup to develop a package of recommendations for MFCMA reauthorization. The workgroup is being coordinated by the Department of Fish and Game and includes staff from the Department of Commerce, the Office of International Trade, and the Governors Office both in Juneau and Washington D.C.

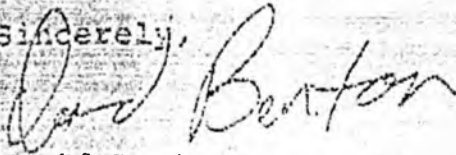
At this time, agency staff and affected interest groups have identified several issues that may become the basis for state supported amendments to the Act. High seas salmon interception and the "donut hole" issue are high on the list, and are examples of topics under consideration for state supported amendments. Other topics include extending state jurisdiction to the new 12 mile territorial sea, expansion of the Fishery Agreement provisions to include the

March 29, 1989

U.S. government's efforts to monitor foreign fisheries and enforce U.S. fishing laws, support to continue the current geographic balance on the North Pacific Fishery Management Council, measures to ensure that any limited access system provide for access by Alaskans to the resource, and consideration of the community development quota concept for fisheries development in rural areas of Alaska.

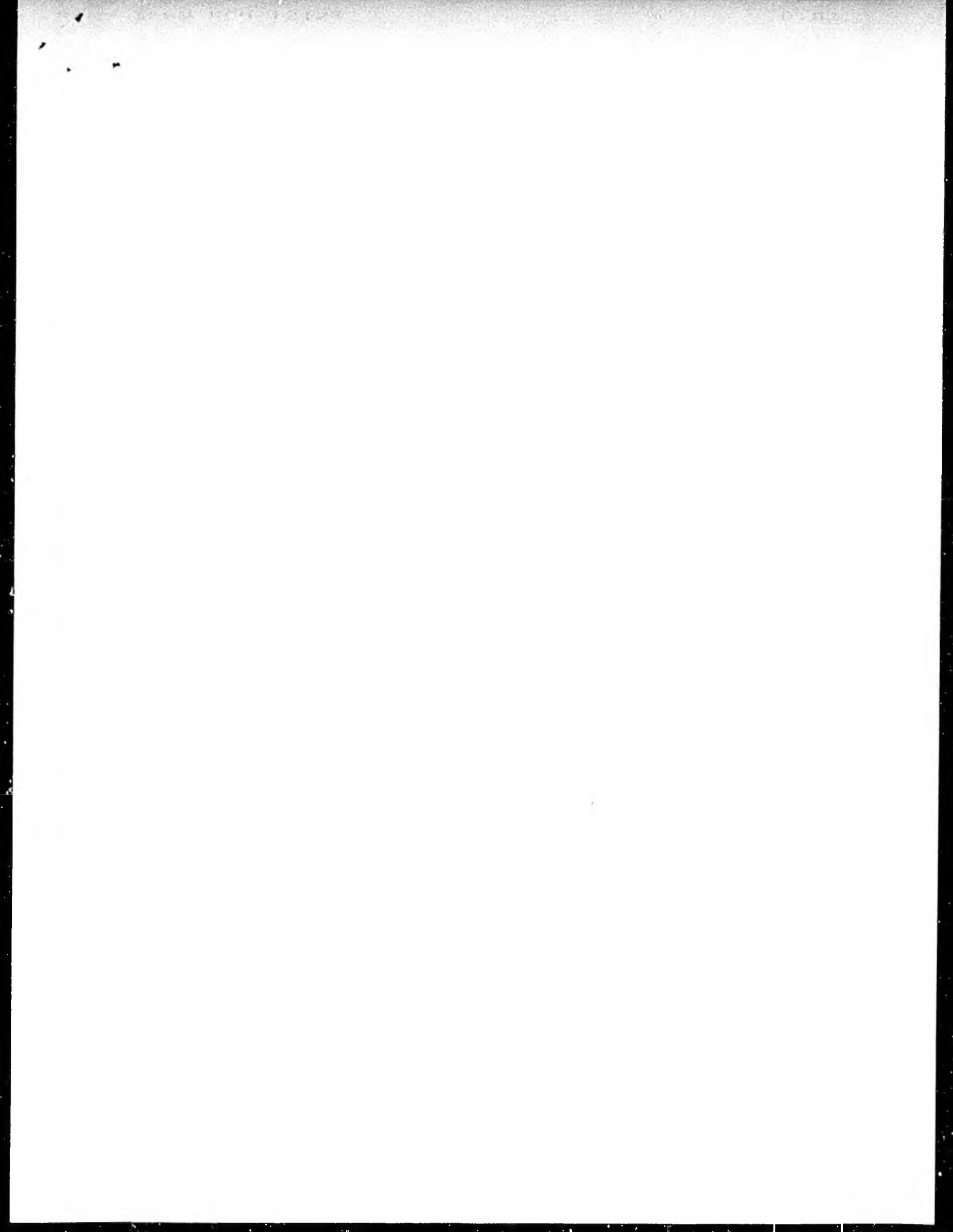
The Administration will continue to work with interest groups and the legislature to identify concerns that might be appropriately addressed in the form of amendments to the Magnuson Act. As we continue our work we will be sure to provide you any information we develop on the Magnuson Act and possible amendments.

Sincerely,



David Benton
Director
Office of Special and
Intern'l Fisheries Affairs





Senator John Binkley


Senate Finance Committee
P.O. Box V • Juneau, Alaska 99811 • (907) 465-4985

Finance Committee
Co-Chairman

MEMORANDUM

April 24, 1989

TO: House Resources Committee Members

FROM: Senator John Binkley 

RE: SJR 33

Almost every Alaskan is now aware that the interception of Alaska salmon and steelhead stocks by high seas foreign fishing fleets is having major political and economic impacts on the Alaska fishing industry. We continue to lose millions of dollars in lost fishing opportunities each year as a result of both legal and illegal salmon gillnetting on the high seas, as well as unregulated squid fishing in the North Pacific and Bering Sea.

The Legislature recently passed Senate Joint Resolution 6 which I sponsored and which calls upon the Congress, the United States State Department, and the American section of the International North Pacific Fisheries Commission to take steps to end these interceptions of Alaska fish. One of those steps included adding amendments to the Magnuson Fishery Conservation and Management Act to ensure that United States jurisdiction over American anadromous species will be effectively enforced to stop the interception of salmon and steelhead on the high seas.

The Magnuson Act, passed in 1976, is due for reauthorization by the Congress by September 30, 1989. This legislation established a management system for fisheries within the United States Exclusive Economic Zone, from 3 miles to 200 miles off the shoreline.

One of the major principles of the Magnuson Act is that the United States has jurisdiction over American anadromous species, such as salmon and steelhead, wherever they migrate on the high seas beyond the U.S. EEZ.

Senate Joint Resolution 33 calls for the Congress to reauthorize the Magnuson Act this year and to amend it to give federal and state agencies additional authority in stopping the illegal harvest of salmon and steelhead on the high seas.

The amendments that are listed in SJR 33 are not meant to be all-inclusive. However, they do represent the thinking of most major fishing organizations in Alaska at this time.

April 24, 1989
Page Two

There is some speculation that the Congress might opt for a simple, one-year extension of the Magnuson Act, without allowing any amendments to the legislation. I believe it is important for the Alaska Legislature to send a strong message to the Congress that this would not be acceptable; that the reauthorization process this year offers an excellent opportunity to strengthen the United States' hand in dealing with the interception issue, and that amendments such as these could provide some relief within the next year to Alaska fishermen suffering from the impacts of these interceptions.

The amendments themselves as listed in SJR 33 are not specific. Rather, they detail general concepts with the actual technical details to be worked out during the legislative process.

HOUSE COMMITTEE REPORT

(9)

Date Referred: April 7, 1989

FURTHER REFERRALS:

Date of Committee Action: 4-24-89

The RESOURCES Committee considered:

CSSJR 33 (RESOURCES)

CS FOR SENATE JOINT RESOLUTION NO. 33 (Resources)

[FISHERY CONSERVATION & MANAGEMENT ACT]

Relating to reauthorization of the Magnuson Fishery Conservation and Management Act by Congress.

RECOMMENDATIONS:

- [] be replaced with _____ [] the same title
[] a new title
[] have attached amendment(s)
[X] 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) _____
[X] zero fn/analysis 7+6 4-4-89

SIGNING DO PASS:

Mike Gou
Chip Davison
Sammy Williams
Bill Hudson
Best Sharp
Sepe
Albe

SIGNING:

(Check approp. column)

Do Not
Pass
No Rec
Amend

	Do Not Pass	No Rec	Amend

Chip Davison

Chairman's Signature

AMENDMENT PROPOSED BY SENATOR ZHAROFF TO SJR 33

p. 3, line 8, insert between existing (10) and (11) and renumber accordingly:

a change in Alaska's membership on the Pacific Fishery Management Council
from non-voting to voting;

RECEIVED APR 10 1988

FISCAL NOTE

REQUEST:

Revision Date: _____ Agency Affected: Fish and Game
 Title: Reauthorization of the Magnuson Fishery Conserv. & Mgmt. Act/Congress
 Sponsor: Senator Binkley et. al.
 Requestor: _____ Components: _____

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 89	FY 90	FY 91	FY 92	FY 93	FY 94
PERSONAL SERVICES	0	0	0	0	0	0
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0	0	0	0	0	0
CAPITAL	0	0	0	0	0	0
REVENUE						

FUNDING: (Thousands of Dollars)

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

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS : (Attach a separate page if necessary)

CSSJR 33 addresses amendments that the Legislature would like to see Congress adopt in reauthorizing the Magnuson Fishery Conservation and Management Act. The department is involved in the Congressional process and can participate in the amendment process without additional appropriations.

Prepared by: Deborah L. Greenberg, Special Asst. Phone: 465-4100
 Division: Commissioner's Office Date: 4/4/89

Approved by Commissioner: *Walter H. Akeley* Date: 4/4/89
 Agency: Fish and Game

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