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SENATE COMMITTEE REPORT

DATE: 3/16/90

FURTHER:

DATE TURNED INTO OFFICE: 3-28-90

Resources Committee considered CSHB 569 (Resources)

"An Act relating to the maximum length of salmon seine vessels."

and recommended:

- replace with _____ CS _____
 - or adopt _____ CS _____
 - attached amendment(s)
 - _____ letter of intent adopted
- same title
 - new title
 - technical title change (HB only)

do pass

do not pass

no recommendation

individual recommendations

further referral to _____

ATTACHES NEW FISCAL NOTE(S):
Dept/Date:

fiscal note(s) _____

zero fiscal note(s) _____

appropriation-no fiscal note

APPROVES PREVIOUS:
Dept/Date:

fiscal note(s) _____

zero fiscal note(s) F & G

Governor's bill w/fiscal note

SIGNING DO PASS:

[Handwritten signatures]

OTHER RECOMMENDATIONS:

[Handwritten signature]
Chair: Signature and Recommendation



JMC

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DATE 2-16-90. REF NO. 89192 FROM: HAL HOCKEMA
 TO ATTN OF: BILL CHENEY COMPANY: JENSEN MARITIME
 COMPANY: COMM. FISHERIES DIV. NO. OF PAGES (INCL. COVER): 2
 FAX NO: 907 465 2604

SUBJECT: 5 AAC 39.160. MAXIMUM LENGTH OF SALMON SEINE VESSEL.

MR. CHENEY:

THANK YOU FOR TAKING TIME FOR OUR PHONE DISCUSSION THIS MORNING.

THE LAWS REGARDING MEASUREMENT OF VESSELS HAVE CHANGED EFFECTIVE ON OCTOBER 12, 1989. PER NEW 46 CFR PART 69 RULES THE FOLLOWING REGISTER LENGTHS APPLY TO VESSELS LESS THAN 79' LENGTH OVERALL (THERE ARE 2 CHOICES OF MEASURE):

1. STANDARD SYSTEM - REGISTER LENGTH IS DEFINED AS FOLLOWS (SUBPART C)

Registered length means either 88 percent of the length on a waterline at 85 percent of the least molded depth measured from the top of the flat keel or the length from the fore side of the stem to the axis of the rudder stock on that waterline, whichever is greater. In vessels designed with a rake of keel, this length is measured on a waterline parallel to the design waterline.

OUR 57'-11" LENGTH OVERALL VESSEL WOULD HAVE 51'-8" REGISTER LENGTH IN THIS CASE

2. SIMPLIFIED SYSTEM - REGISTER LENGTH IS AS FOLLOWS (SUBPART E)

Registered length means—
 (a) For a single-hull vessel, the vessel's overall length; and
 (b) For a multi-hull vessel, the horizontal distance between the outboard side of the foremost part of the stern of the foremost hull and the outboard side of the aftermost part of the stern of the aftermost hull, excluding fittings or attachments.

OUR 57'-11" LENGTH OVERALL VESSEL WOULD HAVE 57'-11" REGISTER LENGTH IN THIS CASE

THE OLD (PRE - OCTOBER 12, 1989) MEASUREMENT RULES REQUIRE REGISTER LENGTH MEASUREMENT AS FOLLOWS:

§ 69.03-13 Register length.

(a) The length measured on the tonnage deck, from the fore part of the outer planking (where it is rabbeted) on the side of the stem of wooden vessels, or fore end of lap of outer plating of steel or iron vessels, to the after side of the main sternpost, shall be accounted the vessel's register length. (See Figures 2 and 3 (§ 69.07-1).)

(b) In the case of screw vessels with no sternpost, take the length to the forward side of the rudder-stock or line of same extended through the deck.

(c) The register length of scows and barges, with a square bow and stern sloping up from the bottom to the deck, and with neither stem nor sternpost, is to be taken on the deck from the extreme point of the hull at the bow to the extreme point of the hull at the stern; that is, the overall length of the hull, not including guards or rubbing strakes, is to be considered the register length of such vessel.

OUR 57'-11" LENGTH
OVERALL VESSEL WOULD
HAVE 49'-6" REGISTER
LENGTH IN THIS CASE

THIS IS THE RULE THAT HAS BEEN IN EFFECT FOR DECADES, AND PROBABLY IS THE RULE THAT THE ALASKA LIMIT OF 50' REGISTER LENGTH IS WRITTEN FROM. HOWEVER THIS DEFINITION HAS BEEN REPLACED BY THE TWO CHOICES ON THE PRECEDING PAGE AND THEREFORE IS NO LONGER APPLICABLE.

TO SIMPLIFY MATTERS I SUGGEST THAT THE LAW FOR LIMITING LENGTH OF SALMON SEINERS BE ALTERED TO ONLY ADDRESS 50' "LENGTH OVERALL" AND DELETE ANY REFERENCE TO "REGISTER LENGTH."

I HAVE INCLUDED A PROFILE DRAWING OF ONE OF OUR DESIGNS TO CLARIFY THE DEFINITIONS ABOVE.

THANKS FOR YOUR ATTENTION IN THIS MATTER.





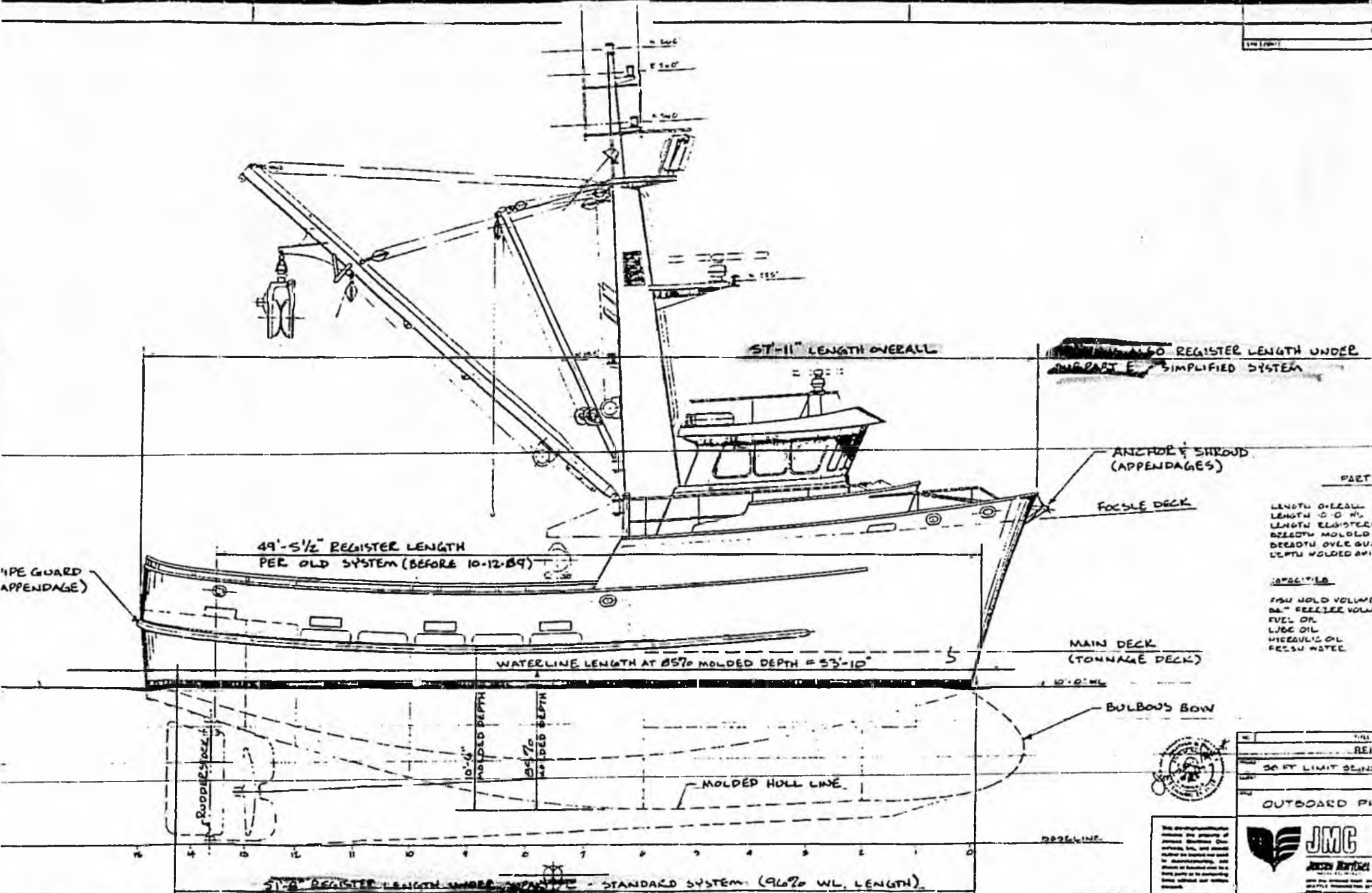
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PIPE GUARD APPENDAGE)

49'-5 1/2" REGISTER LENGTH PER OLD SYSTEM (BEFORE 10-12-89)

57'-11" LENGTH OVERALL

WILL ALSO REGISTER LENGTH UNDER IMPACT E SIMPLIFIED SYSTEM

ANCHOR & SHROUD (APPENDAGES)

FOCUS DECK

MAIN DECK (TONNAGE DECK)

BULBOUS BOW

WATERLINE LENGTH AT 85% MOLDED DEPTH = 53'-10"

51'-8" REGISTER LENGTH UNDER STANDARD SYSTEM (96% WL LENGTH)

PART 1

LENGTH OVERALL
LENGTH O-D W/L
LENGTH ELBOWS
READY MOLDED
DEPTH OVER GUD
DEPTH MOLDED WHL

SPECIES
TNU HOLD VOLUME
64" FREEZER VOLUME
FUEL OIL
LUBC OIL
WHEELS OIL
FRESH WATER



NO.	1111
REG.	REI
SAFETY LIMIT DESIGN	
OUTBOARD POWER	



The design/manufacturer assumes the responsibility of providing the purchaser with accurate information. The purchaser, however, is responsible for verifying the accuracy of the information provided and for providing the necessary data for the design/manufacturer to provide the necessary information.

NOTES LT. VELENTINE
HB 569

16.05.835

My main purpose is to bring you up to date reference the Enforceability of the maximum Length of Seines Vessels. During the summer of 1987 we received inquiries from the fishing industry reference the two criteria involved in determining the maximum length of a seine vessel. What was at issue was - did the vessel have to comply with both the 50ft official Coast Guard length as well as the 58ft overall length. The individuals inquiring into the statute wanted to build vessels that complied with one but not both of the criteria. IE., they wanted to build a 50ft official Coast Guard length vessel that was more than 58ft in overall length.

The Department of Law determined that one has to comply with both standards of measurement in order to remain legal. This opinion also included the Coast Guard definition of both Official Coast Guard register length as well as Overall Length. Which specifically excludes bowsprits, rudders, outboard motors brackets, similar fittings or attachments from the overall measurement. The following summer of 1988 we observed several

vessels and received several complaints from fisherman reference seine vessels that were clearly longer than 58ft. overall length, however the portion of the vessel that exceeded 58ft was in most cases a bolted on tray or extension. We were unable to prosecute in absence of a State Statute that defined overall length hence the federal standard was applied.

During the Summer of 1989 we faced a similar problem in Bristol Bay. Bristol Bay Drift Gillnetters are limited to a 32ft. overall length vessel. Using the standard that overall length did not include attachments several individual fisherman build 34ft. boats then cut off two feet of the bow they then added a water tight bulkhead to both cut off sections and bolted the (attachment) on the bow. Thus circumventing the 32ft. overall requirement. We received numerous complaints from the fishing fleet but were unable to prosecute again due to a lack of our own State definition of overall length. To keep this new type of vessel from becoming the industry standard the Board of Fisheries defined Overall Length for only Bristol Bay Drift Gillnetters at its February 1990 meeting

which specifically made bolt on bows ilegal. From an enforcement perspective only and not taking into account any biological or gear efficiency questions we feel that what ever the legal overall limit is ultimatly determined to be it should be clearly defined so that all fisherman are put on to equal footing and also so that the length can easily be determined in the field with a simple tape measurement.



STATE OF ALASKA


HOUSE OF REPRESENTATIVES

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REPRESENTATIVE CLIFF DAVIDSON • DISTRICT 27 • Box 746, Kodiak, Alaska 99615 • (907) 486-8250

TO: Senator Bettye Fahrenkamp, Chairman
Senate Resources Committee

FROM: Representative Cliff Davidson, Co-Chairman
House Resources Committee 

DATE: March 20 1990

SUBJECT: House Bill 569
Maximum length of salmon seine vessels

House Bill 569 passed the House of Representatives on March 15, 1990 and has been referred to the Senate Resources Committee. I would like to request this bill be scheduled for a hearing in Senate Resources as soon as possible.

This bill updates language currently in Alaska Statute 16.05.835 which states commercial salmon seiners "may not be longer than 50 feet, official Coast Guard register length, and 58 feet overall length." On September 12, 1989, the Coast Guard changed their method of measuring vessels. Previously, the length from the bow to the rudder stock was used. They are now measuring the overall length of a boat to be consistent with international law.

Alaska Statute and regulation both refer to the "50 feet, official Coast Guard register length" language. If this language is not changed in Statute, newly built salmon seiners will be Coast Guard registered using the overall length (rather than the keel length) and would be over the allowable size limit. The language change proposed in this bill will correct this problem and simplify the measurement standard.

Thank you for your consideration of this request. If you have any questions regarding this legislation, please contact Stephanie Love in my office.



STATE OF ALASKA
OFFICE OF THE GOVERNOR

BILL ANALYSIS

DEPARTMENT Fish and Game	DIVISION Commercial Fisheries	BILL NUMBER HB 569	SPONSOR House Resources
SHORT TITLE OF BILL Maximum length of salmon seine vessels			
DEPARTMENT POSITION Support			
PREPARED BY Robert C. Clasby	DATE 3/2/90	COMMISSIONER'S SIGNATURE <i>William W. Wiley</i>	DATE 3 5 90

SUMMARY

OTHER AGENCIES AFFECTED BY BILL Public Safety	CONSTITUENT GROUP(S) AFFECTED BY BILL Commercial Salmon Seiners
ORGANIZATIONAL SUPPORT FOR BILL Unknown	ORGANIZATIONAL OPPOSITION TO BILL Unknown

FISCAL IMPACT: NONE FISCAL NOTE ATTACHED

BACKGROUND/LEGISLATIVE INTENT

The US Coast Guard recently changed the definition of "Registered Length". Under the new definition, some vessels will exceed the 50 foot registered length limit, but not the 58 foot overall length requirement, thus making them illegal for use in the commercial salmon seine fishery.

ANALYSIS OF BILL/PROGRAM EFFECTS

Passage of this legislation will not effect the programs of the division. Passage will make it easier for department staff to explain, and the public to understand, the length restriction.

AMENDMENTS PROPOSED

The term "overall length" has caused enforcement problems with the Bristol Bay 32 foot maximum length regulation. That problem was overcome by defining "overall length" to mean "the straight line length between the extremities of the vessel, but does not include anchor rollers." We recommend this language be considered as an amendment to this legislation.

PLEASE ATTACH A SEPARATE SHEET FOR ADDITIONAL COMMENTS OR ANALYSIS.

FISCAL NOTE

REQUEST:

Revision Date: _____
Title: Maximum length of salmon
seine vessels
Sponsor: House Resources
Requestor: Governor

Agency Affected: Fish and Game
BRU: Commercial Fisheries
Components: All

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 91	FY 92	FY 93	FY 94	FY 95	FY 96
PERSONAL SERVICES	0					
TRAVEL	0					
CONTRACTUAL	0					
SUPPLIES	0					
EQUIPMENT	0					
LAND & STRUCTURES	0					
GRANTS, CLAIMS	0					
MISCELLANEOUS	0					
TOTAL OPERATING	0	0	0	0	0	0
CAPITAL						
REVENUE	0	0	0	0	0	0

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)

No FY90 impact

Prepared by: RC Robert C. Clasby Phone: 465-4210
Division: Commercial Fisheries Date: March 1, 1990
Approved by Commissioner: [Signature] Date: 3/5/90
Agency: _____

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