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FISCAL NOTE

No. 1

STATE OF ALASKA
1992 LEGISLATIVE SESSION

Bill Version: SB 457

(S) Publish Date: 4-8-92

Revision Date: 3/32/92

Department Affected: Fish and Game

Title: Management of Wild and Hatchery

BRU: Commercial Fisheries

Salmon Stocks

Component: Commercial Fisheries

Sponsor: Senate Rules

Requestor: Senate Resources

COMPONENT SERIAL NO.

4	5	9
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Expenditures/Revenues: (Thousands of Dollars)

OPERATING	FY 93	FY 94	FY 95	FY 96	FY 97	FY 98
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
LAND & 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	0.0	0.0	0.0

CAPITAL	0	0	0	0	0	0
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REVENUE FUND SOURCE:	0	0	0	0	0	0
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FUNDING: (Thousands of Dollars)

GENERAL FUND	0	0	0	0	0	0
FEDERAL FUNDS	0	0	0	0	0	0
OTHER FUND SOURCE:	0	0	0	0	0	0
TOTAL	0.0	0.0	0.0	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

Changes in CSRB 457 (RES) have no fiscal impact. This fiscal note is appropriate.

Estimate of current year impact: None

ANALYSIS: (Attach a separate page if necessary.)

4-6-92 date Tony Orlis Comptroller (Initial) T.O.

Prepared By: Geron Bruce GB

Phone: 465-4100

Division: Commissioner's Office

Date: 4/1/92

Approved by Commissioner: Carl R. Rosen

Agency: Department of Fish and Game

Date: 4/1/92

Distribution (by preparer): Leg. Fin., Legislative Sponsor, Requestor, OMB/DBR, Gov. Legis. OBC., & Impacted Agency(ies).

THE
CONSTITUTION
OF THE
STATE OF
ALASKA



John B. Coghill
Lieutenant Governor

December 1990

Section 2 - State University.

The University of Alaska is hereby established as the state university and constituted a body corporate. It shall have title to all real and personal property now or hereafter set aside for or conveyed to it. Its property shall be administered and disposed of according to law.

Section 3 - Board of Regents of University.

The University of Alaska shall be governed by a board of regents. The regents shall be appointed by the governor, subject to confirmation by a majority of the members of the legislature in joint session. The board shall, in accordance with law, formulate policy and appoint the president of the university. He shall be the executive officer of the board.

Section 4 - Public Health.

The legislature shall provide for the promotion and protection of public health.

Section 5 - Public Welfare.

The legislature shall provide for public welfare.

Article VIII**Natural Resources****Section 1 - Statement of Policy.**

It is the policy of the State to encourage the settlement of its land and the development of its resources by making them available for maximum use consistent with the public interest.

Section 2 - General Authority.

The legislature shall provide for the utilization, development, and conservation of all natural resources belonging to the State, including land and waters, for the maximum benefit of its people.

Section 3 - Common Use.

Wherever occurring in their natural state, fish, wildlife, and waters are reserved to the people for common use.

Section 4 - Sustained Yield.

Fish, forests, wildlife, grasslands, and all other replenishable resources belonging to the State shall be utilized, developed, and maintained on the sustained yield principle, subject to preferences among beneficial uses.

Section 5 - Facilities and Improvements.

The legislature may provide for facilities, improvements, and services to assure greater utilization, development, reclamation, and settlement of lands, and to assure fuller utilization and development of the fisheries, wildlife, and waters.

Section 6 - State Public Domain.

Lands and interests therein, including submerged and tidal lands, possessed or acquired by the State, and not used or intended exclusively for governmental purposes, constitute the state public domain. The legislature shall provide for the selection of lands granted to the State by the United States, and for the administration of the state public domain.

Section 7 - Special Purpose Sites.

The legislature may provide for the acquisition of sites, objects, and areas of natural beauty or of historic, cultural, recreational, or scientific value. It may reserve them from the public domain and provide for their administration and preservation for the use, enjoyment, and welfare of the people.

Section 8 - Leases.

The legislature may provide for the leasing of, and the issuance of permits for exploration of, any part of the public domain or interest therein, subject to reasonable concurrent uses. Leases and permits shall provide, among other conditions, for payment by the party at fault for damage or injury arising from noncompliance with terms governing concurrent use, and for forfeiture in the event of breach of conditions.

Section 9 - Sales and Grants.

Subject to the provisions of this section, the legislature may provide for the sale or grant of state lands, or interests therein, and establish sales procedures. All sales or grants shall contain such reservations to the State of all resources as may be required by Congress or the State and shall

PRINCE WILLIAM SOUND AQUACULTURE CORPORATION
P. O. BOX 1110
CORDOVA, ALASKA 99574

April 6, 1992

Senator Lloyd Jones, Chairman
Senate Resources Committee
Alaska State Senate
P.O. Box V
Juneau, Alaska 99811

Dear Mr. Chairman:

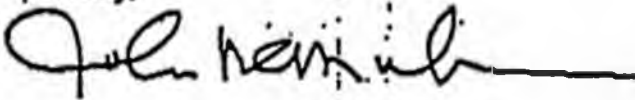
On April 1st, I testified before your committee on Senate Bill 457. A written copy of that testimony is included in your committee's files.

Prior to the time that I testified, a committee substitute for Senate Bill 457 was discussed by the committee. At the close of my testimony, in response to a question from Senator Menard, I tentatively agreed to the language in the Bill.

Since that date, I have received the Committee Substitute and have had an opportunity to discuss it with some members of our board of directors. We are supportive of CSSB 457 as written.

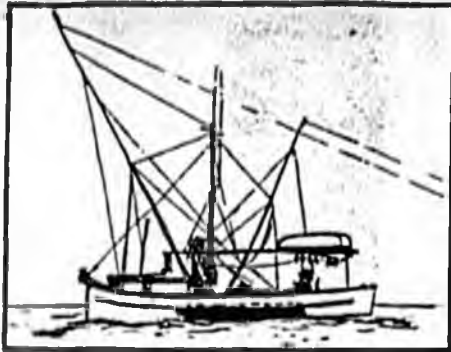
Thank you very much for providing us the opportunity to participate in this legislative process.

Sincerely,



John McMullen
President

cc: PWSAC EXCOM Members



Alaska Trollers Association

REPRESENTING ALASKA TROLLERS

130 Seward St., No. 213
Juneau, Alaska 99801
(907) 586-9400

April 3, 1992

Senator Dick Eliason, President
Alaska State Senate
Pouch V
Juneau, AK 99811

Dear Senator Jones:

On behalf of the Alaska Trollers Association (ATA), I would like to issue support for the April 3, 1992 committee substitute for SB 457. This bill seeks to affirm Alaska's commitment to its fisheries resource by mandating a wild stock management priority; a policy which ATA has endorsed for many years.

Salmon fishermen throughout the state have been the beneficiaries of more stable fisheries due to hatchery programs. In addition, many wild stocks have enjoyed reduced fishing pressure because of the presence of hatchery fish. Unfortunately, one side-effect of hatchery production has been the confusion which has arisen, due to the lack of a definitive management policy regarding wild stocks.

The success of the fishing industry is deeply rooted in the health of our natural runs of fish. Our members recognize an obligation to sustain healthy populations of fish and do not wish to see enhanced runs given preferential treatment over wild. Also, our fishermen are concerned that without clear statutory wording, the potential exists whereby traditional fisheries could be disrupted to accommodate the needs of hatchery facilities.

ATA believes that by adopting the language in SB 457 the intent of the state, to protect wild stocks of fish above all others, is made sufficiently clear to the Board of Fisheries and the Department of Fish and Game. Without such language, increased levels of frustration, and subsequent polarization of fishing and hatchery interests, is likely. This would be unfortunate, given the obvious benefits that have been realized through our enhancement programs. Finally, it should also be noted that the language is not so restrictive as to prevent the Board of Fisheries from choosing to provide adequate passage of hatchery fish for cost recovery, so long as wild stock needs are given first priority.

Thank you for your efforts on this important piece of legislation. If I can be helpful on this or any other issue, please do not hesitate to contact me.

Sincerely,

A handwritten signature in cursive script, appearing to read "Dale", followed by a horizontal line.

Dale A. Kelley
Executive Director

Petersburg Vessel Owners Association

P.O. Box 232

Petersburg, Alaska 99833

Phone (907) 772-9323 Voice and Fax

April 28, 1992

Representative Cliff Davidson, Chairman
House Resources Committee
Alaska State Legislature
Box V
Juneau, Alaska 99811

RE: SB 457

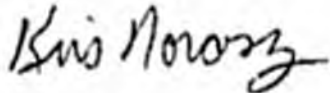
Dear Representative Davidson,

We will be unable to participate in the scheduled teleconference for April 29 regarding SB 457. However, we would like to express our support for the bill.

Our organization believes that it is imperative that the State adopt statutory language giving wild stocks a priority over enhanced fish stocks. In addition, we feel language is needed which clearly indicates that the State is not obligated to guarantee hatcheries a return for broodstock and cost recovery needs. Senate Bill 457 provides for both of these concerns.

We urge the Resources Committee to pass this bill and work towards its final adoption by the Legislature. Thank you for your consideration.

Sincerely,



Kris Norosz
Director



Alaska Environmental Lobby, Inc.

P.O. Box 22151 Juneau, Alaska 99802

907-463-3366

SB 457 - ANADROMOUS FISH

The Alaska State Constitution mandates sustained yield of fish stocks, but because hatcheries did not exist when the Constitution was written, questions have arisen. The Department of Fish & Game and the Fish Board have always assumed that they are managing fisheries with the priority for sustained yield of wild fish stocks over hatchery stocks. But this concept has never been mentioned in statute.

SB 457 will give overriding protection to wild stocks. It clarifies that hatchery fish do not have the same status as wild fish. It won't change the way things have been done, it will simply enhance everyone's understanding of the law. This will guarantee that wild anadromous fish stocks will always have priority in Alaska.

The Alaska Environmental Lobby supports SB 457.

April 29, 1992 Issue Paper
Linda Franklin, citizen lobbyist





UNITED FISHERMEN OF ALASKA

211 4th Street, Suit 112
Juneau, AK 99801
907-586-2820
Fax# 907-463-2545

MEMBER ASSOCIATIONS

Alaska Crab Coalition
Alaska Independent Fishermen's
Marketing Association
Alaska Longline Fishermen's
Association
Alaska Trollers Association
Bering Sea Fishermen's Association
Bristol Bay Driftnetters Association
Concerned Area 'M' Fishermen
Cook Inlet Aquaculture Association
Copper River Fishermen's Cooperative
Cordova District Fishermen United
Kenai Peninsula Fishermen's Association
North Pacific Fisheries Association
Northern Southeast Regional
Aquaculture Association
Peninsula Marketing Association
Petersburg Vessel Owners Association
Prince William Sound
Aquaculture Association
Prince William Sound Seiners Association
Seafood Producers Cooperative
Southeast Alaska Seiners
Southern Southeast Regional
Aquaculture Association
United Cook Inlet Drift Association
United Southeast Alaska Gillnetters
Western Alaska Cooperative
Marketing Association
Area K Seiners Association

April 29, 1992

The Honcrable Cliff Davidson
Chairman, House Resources Committee
House of Representative
Post Office Box V
Juneau, Alaska 99811

Dear Representative Davidson:

The United Fishermen of Alaska would like to take this opportunity to express support for the Committee Substitute for Senate Bill 457.

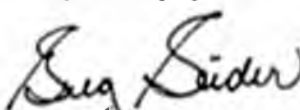
As you are undoubtedly aware, UFA is composed of 21 commercial fishing organizations. These organizations include four of the regional aquaculture associations.

Many of our member organizations have worked closely on the numerous drafts and the Committee Substitute that is before you at this time. The present version of the bill contains language that has been finely tuned to address all the concerns that, to our knowledge, have been expressed.

The proposed legislation does not mark a policy change but places in statute the present management priorities.

All the regional aquaculture associations that are members of UFA and the other member organizations support this bill in its present form.

Very truly yours,


Greg Seider
Executive Director