

HB

448

WALTER J. HICKEL
GOVERNOR



P. O. Box 110001
Juneau, Alaska 99811-0001
(907) 465-3500

STATE OF ALASKA
OFFICE OF THE GOVERNOR
JUNEAU

February 4, 1994

*The Honorable Ramona Barnes
Speaker of the House
Alaska State Legislature
State Capitol
Juneau, AK 99801-1182*

Dear Speaker Barnes:

Under authority of art. III, sec. 18. of the Alaska Constitution, I am transmitting a bill relating to the waste and use of salmon and parts of salmon, and to permits for and operation of salmon hatcheries.

The bill would repeal and reenact AS 16.05.831 (waste of salmon) to authorize the commissioner of fish and game to issue permits to allow the removal and sale of eggs from hatchery-produced salmon and the discard of the salmon carcasses. The permits would allow this practice only for salmon that return to hatchery terminal and special harvest areas or remote sites from which hatchery smolt are released, and that are determined by the commissioner of fish and game to be unfit for human consumption. This is a practice that is prohibited by existing AS 16.05.831. It is anticipated that persons who would be authorized under such a permit are commercial fishermen who are participating in a designated terminal fishery and, perhaps, hatchery operators or fish processors.

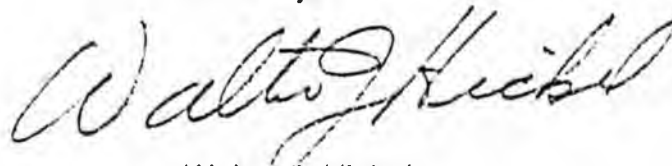
The language that appears in the bill as AS 16.05.831(b)(2), regarding permits authorizing "other uses of salmon," is currently contained in AS 16.05.831(b).

The bill also cures several problems in existing AS 16.05.831. Presently, that statute applies only to salmon that are "intended" for certain uses. Because that statute does not indicate whose intent is to be measured, this ambiguity can cause enforcement problems. Also, the specified uses are not meaningful because they cover every conceivable use of salmon. The bill's repeal and reenactment of AS 16.05.831 deletes this problematic language from the law.

The Honorable Ramona Barnes
February 4, 1994
Page 2

Because of present market conditions, it is important for the fishing industry and hatchery operators to be able to recover as much value as possible from salmon resources. The bill will contribute to this goal and, at the same time, will allow the state to more effectively enforce the statute on waste of salmon. For these reasons, I urge your prompt consideration and passage of the bill.

Sincerely,

A handwritten signature in cursive script, reading "Walter J. Hickel". The signature is written in dark ink and is positioned above the printed name and title.

Walter J. Hickel
Governor

April 21, 1994

Senator Mike Miller, Chair
Senate Resources Committee
Alaska State Legislature
State Capitol
Juneau, Alaska 99801-1182

Dear Senator Miller,

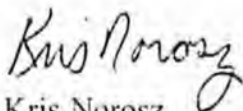
Although we support the concept of maximizing the value of salmon and avoiding the waste of surplus salmon roe, we are greatly concerned with the full implications of HB 448.

Alaska is well known for its strong wanton waste law and its support of full utilization of fishery resources. These positions have been instrumental in federal arenas to uphold Alaska's ability to manage and protect both nearshore and offshore fisheries. HB 448 would seriously erode Alaska's credibility. With the political battle over the reauthorization of the Magnuson Act looming, we cannot allow that to occur.

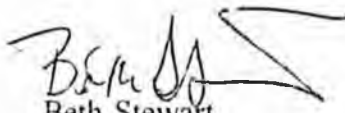
This bill would also allow hatcheries and processors to be held accountable to different standards. Making exceptions for one sector makes it very difficult not to allow the same exceptions for other sectors in the future. Clearly, this is not the time to begin the erosion of Alaska's wanton waste law.

Our objection to HB 448 is based on important fishery policy concerns, not on individual opinions regarding hatcheries. If it is the intent of the Legislature to provide assistance to the hatcheries, then perhaps passage of SB 251 (the fisheries enhancement and loan bill) would be more appropriate.

Sincerely,



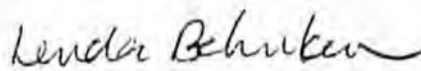
Kris Norosz
Petersburg Vessel Owners Assoc.



Beth Stewart
Aleutians East Borough



Arni Thomson
Alaska Crab Coalition



Linda Behnken
Alaska Longline Fishermen's Assoc.

FISCAL NOTE

No. 1
 Bill Version: HB 448
 (H) Publish Date: 2/4/94

**STATE OF ALASKA
 1994 LEGISLATIVE SESSION**

BILL NO.

Revision Date: _____
 Title: Relating to the waste and use of salmon

 Sponsor: _____
 Requestor: Governor

Dept. Affected: Fish and Game
 BRU: Commercial Fisheries Management & Develop.
 Component: Fisheries Management

 COMPONENT SERIAL NO. 1941

Expenditures/Revenues (Thousands of Dollars)

OPERATING EXPENDITURES	FY 95	FY 96	FY 97	FY 98	FY 99	FY 00
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

CAPITAL EXPENDITURES	0	0	0	0	0	0
----------------------	---	---	---	---	---	---

CHANGE IN REVENUES ()	0	0	0	0	0	0
------------------------	---	---	---	---	---	---

FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1006 GF/MHTIA						
Other						
TOTAL	0	0	0	0	0	0

Estimate of any current year (FY 94) cost: \$ 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: (Attach a separate page if necessary)

Prepared By: Bob Clashv
 Division: Commercial Fisheries Management and Dev.
 Approved by Commissioner: [Signature]
 Agency: Alaska Department of Fish and Game

Phone: 465-6120
 Date: January 10, 1994
 Date: January 10, 1994

PREPARER TO PROVIDE ALL DISTRIBUTION COPIES OF GOVERNOR'S LEGISLATIVE OFFICE
 For further distribution information, call the Governor's Legislative Office