

HB

141

B

HOUSE COMMITTEE REPORT

3/20/95 Rules

(9) Date Referred: March 1, 1995

FURTHER REFERRALS:

Date of Committee Action: 3/20/95

The RESOURCES Committee considered:

HB 141

HOUSE BILL NO. 141

TERM OF FISH & GAME BOARD MEMBERS

"An Act relating to the appointment of members of the Board of Fisheries."

recommends it be replaced with the following committee substitute CS HB 141 (FSH) [X] the same title [] a new title

[] additional referral to _____ Committee [] attached amendment(s)

ADOPTS: _____ Letter of Intent

ATTACHES NEW FISCAL NOTE(S): (Dept) APPROVES PREVIOUS: (Dept/Date) [] fiscal note(s) [] fiscal note(s)

[] zero fiscal note(s) [X] zero fiscal note(s) ADF+G 3/1/95

Table with columns: SIGNING WITH RECOMMENDATIONS, DP, DNP, NR, AM. Rows include signatures and names: Davies, Williams, Ogden, Austermen, Kott, Green. Includes circled numbers 4 and 2.

CO- CHAIR'S SIGNATURE W.K. Williams

CS FOR HOUSE BILL NO. 141(FSH)
IN THE LEGISLATURE OF THE STATE OF ALASKA
NINETEENTH LEGISLATURE - FIRST SESSION

BY THE HOUSE SPECIAL COMMITTEE ON FISHERIES

Offered:
Referred:

Sponsor(s): REPRESENTATIVES AUSTERMAN, Grussendorf, Elton

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to the appointment of members of the Board of Fisheries."

2 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

3 * Section 1. AS 16.05.221(c) is amended to read:

4 (c) Members of the [BOARD OF FISHERIES OR] Board of Game serve
5 staggered terms of three years and until a successor is appointed. An appointment to
6 fill a vacancy in the membership of the [BOARD OF FISHERIES OR] Board of Game
7 shall be made in the same manner as the original appointment and for the balance of
8 the unexpired term.

9 * Sec. 2. AS 16.05.221 is amended by adding a new subsection to read:

10 (d) Members of the Board of Fisheries serve staggered terms of three years
11 and until a successor is appointed and the successor's term begins. The terms of
12 members of the board begin on July 1. Notwithstanding AS 39.05.080(1), by April 1
13 of the calendar year in which the term expires, the governor shall appoint a person to
14 fill a vacancy on the board due to expiration of the term of a member of the board and
15 submit the name of the person to the legislature for confirmation. If a vacancy arises

1 on the board other than by the expiration of a term, the governor shall, within 30 days
2 after the vacancy arises, appoint a person to serve the balance of the unexpired term
3 and submit the name of the person to the legislature for confirmation. A person
4 appointed to fill the balance of an unexpired term shall serve on the board from the
5 date of appointment until the earlier of the expiration of the term or the failure of the
6 legislature to confirm the person under AS 39.05.080.

7 * Sec. 3. TRANSITION. Notwithstanding AS 16.05.221(d), added by sec. 2 of this Act,
8 the

9 (1) expiration date of the terms of the persons serving on the Board of
10 Fisheries on January 1, 1995, is January 31 of the calendar year in which the term expires;

11 (2) terms of persons appointed to the Board of Fisheries after January 1, 1995,
12 other than the terms of persons appointed to serve the balance of an unexpired term, begin
13 upon the expiration of the predecessor's term and expire three calendar years later on June 30.

03/15/95 *50414* LEGISLATIVE TELECONFERENCE NETWORK SYSTEM LTN1150
08:09:19 PARTICIPANT LIST (ALL PARTICIPANTS) BY:PSG
TCN:50394 SCHEDULED FOR:03/15/95 08:00 TO 10:00 FOR:PSG
PUBLIC HEARING HOUSE RESOURCES
LOCATION:PETERSBURG
HJR 25 MR. BARRY BRACKEN ADF&G
*I MAY BE ABLE TO ANSWER QUESTIONS
OBSERVE*

03/15/95 LEGISLATIVE TELECONFERENCE NETWORK SYSTEM LTN1150
08:04:36 PARTICIPANT LIST (ALL PARTICIPANTS) BY:COR
TCN:50394 SCHEDULED FOR:03/15/95 08:00 TO 10:00 FOR:COR
PUBLIC HEARING HOUSE RESOURCES
LOCATION:CORDOVA
HB 141 MS. DORNE HAWKHURST ✓ CDFU TESTIFY
P.O. BOX 939 Cordova 99574 424-3447

03/15/95 LEGISLATIVE TELECONFERENCE NETWORK SYSTEM LTN1150
08:23:14 PARTICIPANT LIST (ALL PARTICIPANTS) BY:KOD
TCN:50394 SCHEDULED FOR:03/15/95 08:00 TO 10:00 FOR:KOD
PUBLIC HEARING HOUSE RESOURCES
LOCATION:KODIAK
HB 141 MR. MIKE MARTIN ✓ TESTIFY
By 889 99615 345-0349

03/15/95 08:43:10 LEGISLATIVE TELECONFERENCE NETWORK SYSTEM LTN1120
MESSAGE FROM: LIOCJEN IN ANCHORAGE JNU
RE TCN: 50394 SCHEDULED FOR:03/15/95 08:00 TO 10:00
SPONSOR: HOUSE RESOURCES PURPOSE: PUBLIC HEARING
MESSAGE TEXT: MIM ROBINSON FOR HB 141 *IK PORT ALEXANDER ✓*

03/15/95

LEGISLATIVE TELECONFERENCE NETWORK SYSTEM

LTN1150

08:45:08

PARTICIPANT LIST (ALL PARTICIPANTS)

BY:KTN

TCN:50394 SCHEDULED FOR:03/15/95 08:00 TO 10:00

FOR:KTN

PUBLIC HEARING HOUSE RESOURCES

LOCATION:KETCHIKAN

HJR 25 MR. ROYCE F. RANNIGER OBSERVE

HJR 25 MR. DONALD WESTLUND TESTIFY

HB 141 MR. DAVID BRAY TESTIFY

2729 Tongass Ave

225-2624

*pos ?
sump*

03/15/95

LEGISLATIVE TELECONFERENCE NETWORK SYSTEM

LTN1150

08:05:17

PARTICIPANT LIST (ALL PARTICIPANTS)

BY:SIT

TCN:50394 SCHEDULED FOR:03/15/95 08:00 TO 10:00

FOR:SIT

PUBLIC HEARING HOUSE RESOURCES

LOCATION:SITKA

HJR 25 DAN FALVEY ✓ ALFA TESTIFY

Box 6083

998357

747-8710

HJR 25 BETSY KNUTSON TESTIFY

2039 HPR

5091

HJR-25 DENNIS HICKS ✓ TESTIFY

726 Siginaka Way

3465

James Swift

Box 1725

3156

HOUSE RESOURCES COMMITTEE
Roll Call and Members' Bill Votes

* (indicates first public hearing)

Room 124, Capitol Bldg.

Mon., Wed., Fri.

Date: 3-15-95

Tape# 95-33, 95-34 Joint _____

Time: 8:09 am/pm Time Adjourned: _____ am/pm

ROLL CALL:	PRES	ABS	TIME AR	_____	_____	_____
Rep. Joe Green	✓					
Rep. Bill Williams*	✓					
Rep. Scott Ogan ✓	✓					
Rep. Alan Austerman ✓	✓					
Rep. Ramona Barnes						
Rep. John Davies ✓	✓					
Rep. Pete Kott	✓					
Rep. Eileen MacLean ✓			<u>8:32</u>			
Rep. Irene Nicholia						

Other Legislators Present _____

AGENDA:

Bill No.	Short Title	Action Taken
<u>HJR 25</u>	<u>Ben Traveling In Eastern Gulf of Alaska</u>	<u>Passed CSS HJR 25 / RES 1</u>
<u>11/31/41</u>	<u>Term of Fish + Game Board Members</u>	<u>Udd</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

OTHER

NFFMC

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STATE OF ALASKA

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FAX (907) 465-2029
Mail Stop 3101

130 Seward Street, Suite 400
Juneau, Alaska 99801-2105

Copies of minutes listed below were originally included in this file. The minutes are available on the legislative computer database. In order to save space copies of minutes have not been left in the files.

Mary Pagenkopf

House Resources
3-15-95 8:09 am~
Tape #95-33
HB 141

HOUSE RESOURCES COMMITTEE



Alaska State Legislature
House of Representatives

DATE: 3/15/95

PLACE: ROOM 124

SUBJECT OF MEETING:
HJR 25 - Benthic Trawling In Eastern Gulf of Alaska
HB 141 - Terms of Fish + Game Board Members

NAME	REPRESENTING	BUSINESS/PERSONAL MAILING ADDRESS	ZIP	(H) PHONE	(W) PHONE	DO YOU WANT TO TESTIFY?	WHAT SUBJECT/ WHICH BILL?
Jerry McCune	UFA	212 4th St SUITE 211 G.F.	99801		586 2820	(Y) N	HJR 25 CS HB 141
Geron Bruce	ADFG	Bx 25526 JUNCOA	99802		465-6143	(Y) N	ANSWER QUESTIONS HJR 25 HB 141
Sean Poddsch	BRDA	P.O.B. 21951 JUNCOA	99802		463-4972	(Y) N	HJR 25 CS HB 141
						Y N	
						Y N	
						Y N	
						Y N	
						Y N	
						Y N	
						Y N	
						Y N	



REPRESENTATIVE ALAN AUSTERMAN Alaska State Legislature

P.O. Box 2368, Kodiak, Alaska 99615 (907) 486-5930 • Session: State Capitol, Juneau, Alaska 99801 465-2487

SPONSOR STATEMENT

CSHB 141

CS House Bill 141 shifts the appointment and term dates of the Board of Fish members in an effort to depoliticize the confirmation process. The appointment date is moved closer to the confirmation date to help ensure that appointees are confirmed by the legislature prior to having participated at a Board of Fish meeting. Accordingly, the term date is moved from January 31 to July 1st. With CSHB 141, legislators will confirm an appointee based on qualifications, not voting record.

There are instances where changing the term cycle, as in CSHB 141, will not insulate Board of Fish appointees from the confirmation process: where a vacancy occurs before a term expires or the legislature has not confirmed an appointee of the Governor. In these cases, the Governor makes a new appointment within 30 days and those individuals serve on the board until possible confirmation during the next legislative session.

The transition to the new term cycle is addressed in Section 3 of CSHB 141. As presently written, CSHB 141 will extend the terms (to 3 years 5 months) of whichever members are appointed after January 1, 1995. Mr. Utermohle, our drafting attorney, advised against shortening the terms to 2 years, 5 months in this transitory period.

HB 141 brings forth one of the recommendations of the Governor's Transition Team on Fisheries. This group, which convened in Kodiak on January 5 and 6 of last year, was comprised of commercial, sport, and subsistence fishers.




Alaska State Legislature

House of Representatives
Special Committee on Fisheries

M E M O R A N D U M

TO: Representative Bill Williams, Co-Chairman
House Resources Committee

FROM: Representative Alan Austerman, Chairman 
House Special Committee on Fisheries

DATE: February 28, 1995

RE: CSHB 141 - "relating to the appointment of members of the
Board of Fisheries"

I respectfully request that a hearing for my bill, CSHB 141 (FSH), be scheduled at your earliest possible convenience.

My staff has already provided the referral file which includes backup and a fiscal note.

Your assistance with this matter is appreciated.

FISCAL NOTE

STATE OF ALASKA
1995 LEGISLATIVE SESSION

BILL NO. HB 141

Revision Date: _____ Dept. Affected: Fish and Game
 Title: Terms of Fish and Game Board members BRU: Boards of Fisheries and Game
 Component: Board Services
 Sponsor: Rep. Austerman
 Requester: House Fisheries COMPONENT SERIAL NO. 482

Expenditures/Revenues (Thousands of Dollars)

OPERATING EXPENDITURES	FY 96	FY 97	FY 98	FY 99	FY 00	FY 01
PERSONAL SERVICES	0.0	0.0	0.0	0.0	0.0	0.0
TRAVEL	0.0	0.0	0.0	0.0	0.0	0.0
CONTRACTUAL	0.0	0.0	0.0	0.0	0.0	0.0
SUPPLIES	0.0	0.0	0.0	0.0	0.0	0.0
EQUIPMENT	0.0	0.0	0.0	0.0	0.0	0.0
LAND & STRUCTURES	0.0	0.0	0.0	0.0	0.0	0.0
GRANTS, CLAIMS	0.0	0.0	0.0	0.0	0.0	0.0
MISCELLANEOUS	0.0	0.0	0.0	0.0	0.0	0.0
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES						
----------------------	--	--	--	--	--	--

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

FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1008 GF/MHTIA						
Other						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY95) cost: \$ 0.0

POSITIONS

FULL-TIME					
PART-TIME					
TEMPORARY					

ANALYSIS: (Attach a separate page if necessary)

Prepared by: Geron Bruce (GB)
 Division: Commissioner's Office
 Approved by Commissioner: [Signature]
 Agency: _____

Phone: 485-8143
 Date: 5/12/95
 Date: 5.13.95

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HOUSE COMMITTEE REPORT

(5) Date Referred: February 1, 1995 FURTHER REFERRALS: Resources

Date of Committee Action: 2/27/95

The HOUSE SPECIAL COMMITTEE ON FISHERIES Committee considered: HB 141

HOUSE BILL NO. 141 TERM OF FISH & GAME BOARD MEMBERS

"An Act relating to the appointment of members of the Board of Fisheries."

recommends it be replaced with the following committee substitute CSHB 141 (FSH) the same title a new title

additional referral to _____ Committee
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ADOPTS: _____ Letter of Intent

ATTACHES NEW FISCAL NOTE(S): (Dept) _____ APPROVES PREVIOUS: (Dept/Date) _____
 fiscal note(s) _____ fiscal note(s) _____

zero fiscal note(s) ADFG zero fiscal note(s) _____

SIGNING WITH RECOMMENDATIONS	DP	DNP	NR	AM
<i>[Signature]</i>	✓			
<i>[Signature]</i>	✓			
<i>[Signature]</i>	✓			
<i>[Signature]</i>	✓			
<i>[Signature]</i>	✓			

CHAIR'S SIGNATURE *[Signature]* 2/27/95

ALASKA BOARD OF FISHERIES

MEETING SCHEDULE

The meeting cycle generally occurs between October through March. Thus, the cycle overlaps calendar years. All fisheries are considered when the regional area, shellfish species, or statewide regulations are before the board. The fisheries are: subsistence, sport, guided sport, personal use, and commercial fisheries.

NOTE: Statewide finfish and statewide shellfish regulations will not be taken up every meeting cycle. When setting the next meeting cycle, the board will determine whether to consider Statewide finfish or shellfish regulations for that meeting cycle.

Meeting Cycle: 1991/92 1994/95
Proposal Deadline: (04/10/91) (04/11/94)

Alaska Peninsula/Aleutian
Island Areas (All Finfish)

Bristol Bay Area (All Finfish)

Arctic-Yukon-Kuskokwim
Areas (All Finfish)

Statewide (All Finfish)

Meeting Cycle: 1992/93 1995/96
Proposal Deadline: (04/10/92) (04/10/95)

Cook Inlet Area (All Finfish)

Kodiak/Chignik Areas (All Finfish)

King & Tanner Crab (All Regions)

Meeting Cycle: 1993/94 1996/97
Proposal Deadline: (04/09/93) (04/10/96)

Southeast/Yakutat Areas (All Finfish)

Prince William Sound Area (All Finfish)

Dungeness Crab, Shrimp, and Miscellaneous
Shellfish (All Regions)

THE MEETING CYCLE REPEATS ITSELF WITH THE 1994/95 CYCLE BEING THE SAME AS THE 1991/92 CYCLE [WITH THE EXCEPTION OF THE STATEWIDE REGULATIONS]. This schedule was adopted November 9, 1990.

Fisheries

Alaska's fishery resources are critical to the local and statewide economies of the state and to the personal lives of Alaskans. Besides providing more jobs than any other resource or industry in the state, our fishery resources are central to the very sustenance and lifestyle of most Alaskans. Because fish play such a vital role in our lives, and because fisheries in Alaska are biologically complex, the management of this resource naturally generates widespread interest and debate.

RECOMMENDATIONS

BOARD OF FISHERIES

- Retain the basic structure of the existing Board of Fisheries (BOF).
 - Maintain a BOF comprised of lay citizens.
 - Ensure broad geographic interest and expertise by members so that the BOF represents the diversity of interests and regions of the state.
 - Provide that individual BOF seats should not be designated for specific interest groups.
- Consider whether to establish additional Boards, such as a separate BOF for management of groundfish and shellfish and/or separate regional Boards in addition to a statewide Board.
- Make statutory changes regarding BOF member terms in order to depoliticize the confirmation process.
 - Appoint full term BOF members during the first ten days of April, with confirmation by the end of the legislative session.
 - Seat newly confirmed BOF members on July 1 each year.
 - Provide for 3-year staggered terms as currently is done.
 - Fill vacancies for unexpired terms within 30 days.
- Fine tune the current process for reviewing BOF proposals.
 - Retain the current 3 year cycle for review of agenda topics.
 - Improve the agenda change and petition criteria and the process for out-of-cycle issues of importance.
- Reduce the number of proposals reviewed by the BOF by streamlining the proposal process. Consider methods to reduce the number of proposals taken up by the BOF, but do not restrict the public from offering proposals.
- Conduct BOF meetings more effectively through:
 - Management of testimony according to topic.
 - Making all proposal information available to the public 30 days before the meeting.
 - Strictly prohibiting personal advocacy by ADF&G employees at BOF meetings.
 - Increasing use of electronic bulletin boards for information about meetings.
- Consider moving the BOF administratively out of ADF&G and into the Governor's Office or another administrative unit.

STATE OF ALASKA - OFFICE OF THE GOVERNOR
Boards and Commissions Office

Membership Roster

(037) FISHERIES

Member	Appointed	Reappointed	Term Exp.
Trefon Angasan Public Bristol Bay Native Corporation P.O. Box 100220 Anchorage, AK 99510 Work Phone - (907) 278-3602 FAX - (907) 276-3924	01/31/92	02/09/95	01/31/98
Dick H. Bower, Sr. Public P.O. Box 3662 Soldotna, AK 99669 Home Phone - (907) 262-7132 FAX - (907) 262-7132	02/04/94		01/31/97
Larry Edfelt Public 1212 Pike Court Juneau, AK 99801 Home Phone - (907) 780-4780 FAX - (907) 463-3475	07/23/91	01/31/93	01/31/96
Larry J. Engel Public -- Vice-Chair P.O. Box 197 Palmer, AK 99645 Home Phone - (907) 745-4132	02/04/94		01/31/97
Dick Jacobsen Public P.O. Box 54 Sand Point, AK 99661 Home Phone - (907) 383-2042 FAX - (907) 383-5370	01/31/93		01/31/96
Frank Rue Commissioner/Fish and Game/ex officio secretary Acting Commissioner Department of Fish & Game P.O. Box 25526 Juneau, AK 99802-5526 Work Phone - (907) 465-4100	01/13/95		
Virgil L. Umphenour Public 2400 Davis Road Fairbanks, AK 99701 Work Phone - (907) 456-3885 FAX - (907) 456-3889	07/22/94		01/31/96
John R. White Public P.O. Box 190 Bethel, AK 99559	02/09/95		01/31/98



Alaska State Legislature

Please enter into the record my testimony to the Fisheries.
committee name

committee on # 25 141, dated 15 MARCH, 95
bill/subject

I FAVOR this Bill, and any Bill which
will put the control of the Board
of Fish & Game back into the hands
of the people and not just ONE person
sitting in the governor's office.

Signed: STEPHEN J. ANDRICH SR.

Testifier

SELF / SPORT Fishing + Charters Fishing

Representing (Optional)

P.O. Box 3275 Ketchikan AK 99901

Address

907-225-3280 907-225-9800

Phone No.