

HB

284

FISCAL NOTE

STATE OF ALASKA
2002 LEGISLATIVE SESSION

Fiscal Note Number: _____
 Bill Version: HB 284
 () Publish Date: _____

Revision Date/Time (Note if correction): _____ Dept. Affected: None
 Title Board of Fisheries Conflicts of Interest BRU _____
 Component _____
 Sponsor Rep. Scalzi
 Requester Special Committee on Fisheries Component No. _____

Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

OPERATING EXPENDITURES	FY 2003	FY 2004	FY 2005	FY 2006	FY 2007	FY 2008
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES						
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CHANGE IN REVENUES ()						
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FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type--Do not abbreviate)						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY2002) cost: 0.0

Check this box (X) if funding for this bill is included in the Governor's FY 2003 budget proposal:

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

Prepared by: Special Committee on Fisheries Phone 465-4925
 Division: Rep. Stevens, Committee Co-Chair Date/Time 2/11/02 9:25 AM
 Approved by: _____ Date 2/11/2002
 Agency: _____

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United Southeast Alaska Gillnetters
 PO Box 22427
 Juneau, Alaska 99802
 (907) 586-5860 Fax (907) 586-0167
 E-mail: usag@gci.net

February 6, 2002

Representative Peggy Wilson
 Representative Gary Stevens
 Co-Chairs
 House Special Committee on Fisheries
 Alaska State Legislature
 State Capitol (MS 3100)
 Juneau, AK 99801-1182

Dear Co-Chairs,

Re: HB 284 Board of Fisheries Conflict of Interests

United Southeast Alaska Gillnetters (USAG) supports passage of this bill to provide for Board members to participate in matters before the Board if they declare their personal or financial interest in a fishery.

Members should be appointed to the Board for their expertise in some aspect of fishing. Due to the limited size of the board and the wide range of fisheries in the state, it is vital that all Board members be able to participate in the decision making process.

The 100-plus members of USAG urge your support for passing this bill.

If you have any questions about our position or if you need additional information, please feel free to contact me.

Sincerely,

Jerry Madden



UNITED FISHERMEN OF ALASKA

211 Fourth Street, Suite 110
 Juneau, Alaska 99801-1172
 (907) 586-2820
 (907) 463-2545 Fax
 E-Mail: ufa@ufa-fish.org
 www.ufa-fish.org

February 4, 2002

Representative Peggy Wilson
 Representative Gury Stevens
 Co-Chairs
 House Special Committee on Fisheries
 Alaska State Legislature
 State Capitol (MS 3100)
 Juneau, AK 99801-1182

Dear Co-Chairs,

Re: HB 284 Board of Fisheries Conflict of Interests

United Fishermen of Alaska supports passage of this bill to provide for Board members to participate in matters before the Board if they declare their personal or financial interest in a fishery.

Members are on the Board for their expertise in some aspect of fishing. Due to the limited size of the board and the wide range of fisheries in the state, it is vital that all Board members be able to participate in the decision making process.

The twenty-nine members groups of UFA would appreciate your support in passing this bill.

If you have any questions about our position or if you need additional information, please feel free to contact me.

Sincerely,

Thomas M. Gemmell
 Executive Director

MEMBER ORGANIZATIONS

Alaska Longline Fishermen's Association • Alaska Trollers Association • Al-Sea Processors Association • Bristol Bay Reserve
 Chignik Regional Aquaculture Association • Concerned Area "M" Fishermen • Cook Inlet Aquaculture Association
 Copper River Salmon Producers Association • Cordova District Fishermen United • Douglas Island Pink and Chum
 Kenai Peninsula Fishermen's Association • Kodiak Regional Aquaculture Association • Kodiak Seiners Association • North Pacific Fisheries Association
 Northern Southeast Regional Aquaculture Association • Old Harbor Fishermen's Association • Petersburg Vessel Owners Association
 Prince William Sound Aquaculture Corporation • Puvion Seine Vessel Owners Association • Seafood Producers Cooperative
 Southeast Alaska Regional Dive Fisheries Association • Southeast Alaska Seiners Association • Southern Southeast Regional Aquaculture Association
 United Cook Inlet Ditch Association • United Salmon Association • United Southeast Alaska Gillnetters

Cordova District Fishermen United

Celebrating 65 Years of Service to Commercial Fishermen in Cordova, Alaska
P.O. Box 939 Cordova, Alaska 99574 / phone (907) 424-3447 / fax (907) 424-3430 /
e-mail cdfu@alaska.net

February 4, 2002

House Special Committee on Fisheries
Alaska State Legislature
State Capitol (MS 3100)
Juneau, AK 99801-1192

RE: HB 284 - Board of Fisheries Conflict of Interest

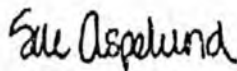
Dear Members,

CDFU, representing the fishing fleets of Area E - the Copper River and Prince William Sound - fully support HB 284. The Alaska Board of Fisheries plays an extremely important role in the viability of our fisheries resources, the commercial fishing industry, sport, personal use and subsistence fisheries of our state. We believe that this Board should be governed by the same parameters as Legislators themselves and most local governments relative to participation in matters under their purview upon full disclosure of personal and financial interests. HB 284 accomplishes that. Another important fisheries regulatory body - the North Pacific Management Council - operates under these parameters, as well.

Given the diversity of resources and fisheries regulated by this relatively small Board, it is imperative that all of the members are allowed to participate fully in both discussion and deliberation. After all, knowledge and experience is one key reason for any person's appointment to the Board and it only makes sense for them be allowed to fully utilize that expertise.

We urge your support of HB 284.

Sincerely,



Sue Aspelund
Executive Director

Sent By: UFA;
To: Rep. Drew Scalzi

At: 465-3472

JetSuite;

Jan-30-02 9:45AM;

Page 1

FROM : BRAD BARR

PHONE NO. : 253 833 5776

Jan. 30 2001 11:45AM P1



C.A.M.F.

Concerned Area M Fishermen

5128 Foster Avenue S.E., Auburn, WA 98002
Phone: (253) 833-5776 • Fax: (253) 833-5776

January 28, 2002

Representative Gary Stevens
Representative Peggy Wilson,
Co-Chairs
House Special Committee on Fisheries
Alaska State Legislature
State Capital (MS 3100)
Juneau, Alaska 98801-1182

Dear Representatives Stevens and Wilson,

I am writing to give Concerned Area M Fishermen's support for HB 283 & HB 284. Both of these bills will bring a balance back to the Board of Fisheries that is badly needed. The Board needs more geographical representation as well as better balance between commercial, sport and subsistence. The present Board is weighted heavily towards sport and central Alaska. The bias towards certain user groups and regions could be eliminated with the passage of HB 283. The issue of Conflict of Interest has been an ongoing concern for many participating in the board process and HB 284 would bring relief on this issue to commercial fishermen and many coastal communities of Alaska.

Concerned Area M Fishermen represents 110 drift gillnet salmon permit holders from the Alaska Peninsula/ Aleutian Islands and is a member group of the UFA. We appreciate both of you taking the time to read our comments on what we feel are two very important issues. Hopefully the Alaska House of Representatives will consider these bills during this session to help improve the Board of Fisheries process.

Sincerely,

Brad L. Barr
President



Alaska State Legislature

Official Business

REPRESENTATIVE DREW SCALZI
State Capitol
Juneau, Alaska 99801-1182

(907) 465-2689; (800) 665-2689
FAX: (907) 465 3472

Representative_Drew_Scalzi@legis.state.ak.us

Sponsor Statement

HB284 - An Act relating to participation in matters before the Board of Fisheries by members of the board; and providing for an effective date."

Alaska is unique in its vastness and abundant resources, yet its number of inhabitants is few. To effectively assure that our lay boards and commissions are composed of qualified individuals, appointments are made through the governor and confirmed by the legislature. Because of the small number of inhabitants in our state, it often becomes difficult for a board to operate in a manner that utilizes the full extent of its make-up.

The current conflict of interest measure, as applied to the Alaska Board of Fisheries, works against its productivity. It is not in the best interest of the state to have board members disqualify themselves from participation in matters in which they may have a direct interest, because it follows that these areas would be the ones in which members have the most expertise.

If the same measure were applied to state legislators, seldom would there be a piece of legislation that would not find some members disqualified from participation. This bill mandates full personal disclosure on matters related to the subject for eligible participation, but requires a board member to actively participate or vote.

Alaska State Legislature
House of Representatives
House Resources and Fisheries committees

2/26/2002

Rep. Drew Scalzi, co-chair Resources fax 465-3472
Rep. Peggy Wilson, co-chair Fisheries fax 465-3175

Please OPPOSE HB 284

This bill would essentially convert the Board of Fisheries [BOF] into the State equivalent of a federal Fisheries Management Council. The federal Fisheries Management Councils are under fire around the US primarily caused by the federal exemption from all Conflict of Interest Laws. There are even paid lobbyists on the Fishery Management Councils who are specifically there to promote and vote for the special interests of their employers. The last thing we need is to allow interjection of financial considerations on top of the problems currently in the BOF process. This exemption would also allow hiring BOF members as lobbyists on issues they will consider.

There is a VAST LEGAL and practical difference between the BOF and a federal Fishery Management Council that is not recognized in HB 284.

*** The federal Councils are officially advisory panels to the Secretary of Commerce. The Secretary can accept, modify, or reject the Fishery Management Plans that the Councils submit. He can also create a Plan if an adequate Fishery Management Plan is not submitted [with some statutory restrictions]. Fishery Plans that are created by the 'conflict of interest' advisory body can be opposed and overturned at the Secretarial level if the 'conflict of interest' created an egregious Plan.

*** The State BOF is the final regulatory body. The Lieutenant Governor's "approval" is simply a pro forma requirement to establish a clock for the effective date of implementation of the regulation. The Lt. Governor is specifically prevented from any other action than signing in the case of this or any appointed Board. This action would create an analogous situation to letting judges hear cases in which they had a financial interest.

Please reject the concept of HB 284 and look for a true solution to BOF problems.

Sincerely,

Paul Seaton
Representing - self
58395 Bruce Street
Homer, AK 99602
907 235 6342