

**HB**

**216**

AMENDMENT

OFFERED IN THE SENATE

TO: CSHB 216(RES)

1 Page 1, lines 1 - 2:

2 Delete "to the emergency order authority of the commissioner of fish and game  
3 and"

4

5 Page 2, line 6:

6 Delete "is, in certain circumstances,"

7 Insert "may, in certain circumstances, be"

8

9 Page 2, line 15:

10 Delete "and surprises and inconvenience to the public would be avoided"

11

12 Page 2, line 19:

13 Delete "is"

14 Insert "may be"

15

16 Page 2, lines 20 - 21:

17 Delete "supersede a regulatory action of the board as necessary"

18 Insert "exercise emergency authority under AS 16.05.060"

19

20 Page 2, line 23:

21 Delete "and to avoid surprises and inconvenience"

22

23 Page 2, line 29:

24 Delete "the commissioner of fish and game"

- 1           Insert "the board, after consultation with the commissioner of fish and game,"
- 2
- 3   Page 2, line 31, through page 3, line 14:
- 4           Delete all material.
- 5
- 6   Renumber the following bill section accordingly.
- 7
- 8   Page 3, lines 19 - 20:
- 9           Delete "the commissioner concurs in the determination of the board"
- 10          Insert "the board, after consultation with the commissioner, determines"



# Alaska State Legislature

Please enter into the record my testimony to the SSTA  
committee name

Committee on HB216, dated 4-9-02  
bill # / subject

SEE 1 PAGE ATTACHED

Signed: BOB MERCHANT  
Testifier

UCIDA  
Representing (optional)

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March 14, 2002

House of Representatives  
Alaska State Legislature  
Juneau, Alaska

RE: UCIDA supports passage of HB216

Dear Representative:

UCIDA considers HB216 the most important fisheries bill to come before the Legislature this session.

This two part Bill is simple and straightforward. First it clarifies the commissioner's authority to exercise emergency orders to both close and open commercial fisheries independent of the Board of Fisheries. HB216 does not interfere with the power of the Board, and it does not give the commissioner additional powers. It does prevent the board from directly or indirectly negating the E.O. authority of the Commissioner, which was not the Legislative intention when the "checks and balances" between the Board and the Administration was first implemented.

Secondly, this Bill requires concurrence by the ADF & G when a conservation concern is presented to the Board of Fisheries by a member of the public, and will be considered by the Board outside the regular cycle of Board meetings. This provision of HB216 will prevent the Board from spending time and money on out of cycle issues because the Board was reacting to incomplete information or a mistaken belief that there was a problem when, in fact, there was not. Simply put, with the concurrence of ADF & G, the Board will be assured that an identified conservation problem is genuine and requires immediate action.

At some point the politics of fishery management must give way to sound biological management. HB 216 is about Alaska's future. Passage of this Bill will demonstrate the Legislature's intention to continue the "checks and balances" approach to the regulation of our fish and game resources.

Please support HB216. Thank you.

Respectfully Yours,

Handwritten signature of Bob Merchant in cursive.

Bob Merchant  
UCIDA President