

HJR

34

## SENATE COMMITTEE REPORT

DATE: 3/24/04

FURTHER:

DATE TURNED  
IN TO OFFICE: 4-2-04

Resources Committee considered CS FOR HOUSE JOINT RESOLUTION NO. 34(FSH)

### HJR 34 FED TRAINING AND ASSISTANCE FOR FISHERMEN

Requesting the United States Department of Agriculture and the United States Department of Labor to extend Trade Adjustment Assistance benefits to Alaska salmon fishermen; requesting the United States Congress and the United States Department of Agriculture to extend additional disaster and price support benefits to Alaska salmon fishermen; and requesting the United States Department of Commerce to establish a Trade Adjustment Assistance program specific to commercial fishermen.

and recommends:

- be replaced with \_\_\_\_\_ CS \_\_\_\_\_ (\_\_\_\_\_)
- adopt previous \_\_\_\_\_ CS \_\_\_\_\_ (\_\_\_\_\_)
- attached amendment(s)
- adopt Letter of Intent by \_\_\_\_\_ Committee
- further referral to \_\_\_\_\_ Committee

**Senate Bill:**  
 Same Title  
 New Title

**House Bill:**  
 Same Title  
 Technical Title Change  
 New Title w/ SCR # \_\_\_\_\_

**NEW FISCAL NOTE(S):**

Department	Date	Fiscal	Indet.	Zero	FN#

**PREVIOUS FISCAL NOTE(S):**

Department	Date	Fiscal	Indet.	Zero	FN#
LAA	2/10/04			✓	1

APPROPRIATION - no fiscal note

SIGNATURES AND RECOMMENDATIONS:	Do PASS	Do NOT PASS	NO REC	AMEND
<i>Alphonse Williams</i>	✓			
<i>R. S. S.</i>	✓			
<i>[Signature]</i>	✓		✓	
<i>[Signature]</i>	✓		✓	
<i>[Signature]</i>	✓			
CHAIR: <i>Scott Dean</i>	✓			

# FISCAL NOTE

STATE OF ALASKA  
2004 LEGISLATIVE SESSION

Fiscal Note Number: 1  
Bill Version: CSHJR 34(FSH)  
(H) Publish Date: 2/12/04

Revision Date/Time (Note if correction): \_\_\_\_\_ Dept. Affected: Legislature  
Title "Requesting the United States Department of Agriculture and the United States Dept. of Labor..." BRU Legislative Council  
Sponsor "Representative Ogg by request..." Component: Council and Subcommittees  
Requestor House Special Committee on Fisheries Component No. 783

**Expenditures/Revenues** (Thousands of Dollars)

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

OPERATING EXPENDITURES	FY 2005	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010
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
<b>TOTAL OPERATING</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

<b>CAPITAL EXPENDITURES</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>
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<b>CHANGE IN REVENUES ( )</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>
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**FUND SOURCE** (Thousands of Dollars)

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

Estimate of any current year (FY2004) cost: 0.0

Check this box (X) if funding for this bill is included in the Governor's FY 2005 budget proposal:

**POSITIONS**

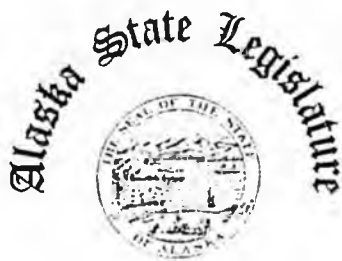
Full-time	0	0	0	0	0	0
Part-time	0	0	0	0	0	0
Temporary	0	0	0	0	0	0

**ANALYSIS:** (Attach a separate page if necessary)

This legislation has zero fiscal impact on the Legislative Affairs Agency.

Prepared by: Karla Schofield, Deputy Director Phone 465-6626  
Division: Administrative Services Date/Time 2/10/04 2:58 PM

Approved by: Pamela Varni, Executive Director Date 2/10/2004  
Agency: Legislative Affairs Agency



**Committee Assignments:**

**Member:**

House Special Committee on Fisheries  
House Special Committee on Education  
House Transportation Committee  
House Judiciary Committee

**Dan Ogg**  
Representative

Session:  
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Capirol Building  
Juneau, Alaska 99801  
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**Interim:**  
112 Mill Bay Road  
Kodiak, Alaska 99615  
Phone: 907-486-8872  
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MEMORANDUM

DATE: March 23, 2004  
TO: Senator Scott Ogan, Chair  
Senate Resources Committee  
FROM: Representative Dan Ogg  
RE: Request for Hearing – House Joint Resolution 34

I respectfully request the Senate Resources Committee schedule a hearing for HJR 34 at your earliest convenience.

This resolution requests that the United States Department of Agriculture and the United States Department of Labor make Trade Adjustment Assistance and additional disaster and price-support benefits more readily available to Alaska salmon fishermen.

Copies of the bill and sponsor statement are attached for your information.

Please contact staff member Melissa Dover at x3820 as required.

Thank you for your consideration.



Committee Assignments:

Member:

House Special Committee on Fisheries  
House Special Committee on Education  
House Transportation Committee  
House Judiciary Committee

Dan Ogg  
Representative

Session:  
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112 Mill Bay Road  
Kodiak, Alaska 99615  
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## SPONSOR STATEMENT

House Joint Resolution 34

2/2/04

**"A Resolution requesting the United States Department of Labor to extend Trade Adjustment Assistance benefits to Alaska salmon fishermen; requesting the United States Congress and the United States Department of Agriculture to extend additional disaster and price support benefits to Alaska salmon fishermen; and requesting the United States Department of Commerce to establish a Trade Adjustment Assistance program specific to commercial fishermen."**

In recent years, Alaska salmon fishermen have seen dramatically reduced prices for their salmon catches due to imported salmon flooding the market. Many salmon fishermen could not fish at all in 2002 or 2003 because the processors who traditionally bought their catch made the decision not to buy salmon because of devastatingly low prices.

The United States Department of Agriculture (USDA) and the United States Department of Labor have Trade Adjustment Assistance (TAA) programs that were designed to help workers whose industries have been hurt by imports. As a result of efforts by Sen. Lisa Murkowski last year, Alaska salmon fishermen were made eligible for these TAA programs. However, the programs were designed primarily for agricultural workers and have proven difficult for fishermen to navigate.

It is undisputed that Alaska salmon fishermen have suffered price declines due to foreign imports. But salmon fishermen may not show a net fishing income decline from one year to the next because they received other income. For instance, in 2002 some fishermen received Exxon payments from the 1989 oil spill, thereby making many of them ineligible for TAA. This resolution urges the federal government to make adjustments to the existing program to accommodate the current petition and to ultimately create a separate program designed to better suit the unique qualities of the commercial fishing industry.

**SPONSOR STATEMENT -- HJR 34**

**Page Two**

In light of the continuing downturn in the salmon market, many fishermen are eager to learn new skills to make them viable in a competitive job market. As it stands now, however, retraining benefits from the U.S. Dept. of Labor are only available if the fishermen qualify for the USDA TAA price adjustment benefits.

In order to make the TAA programs a better fit for commercial fishermen the resolution makes four specific requests:

- 1) It asks that the USDA give price-adjustment benefits to Alaska salmon fishermen who fished five of six years from 1997 to 2002 and subsequent qualifying years if the fishermen can prove they lost income in any one of those five years due to imports or they lost their market due to imports. This would remove the requirement that fishermen show a net income loss from one year to the next, providing instead for a loss over a period of time.
- 2) It asks that the U.S. Dept. of Labor extend retraining benefits to Alaska salmon fishermen who fished in five of the six years from 1997 to 2002 even if the fishermen did not fish in the preceding year due to impacts from price fluctuations or loss of market.
- 3) It asks that the U.S. Congress and the USDA make Alaska salmon a covered commodity, which makes Alaska salmon fishermen eligible for other disaster and price support benefits.
- 4) It asks that the U.S. Secretary of Commerce pursue the creation of a TAA program specific to commercial fishermen.

Below are the CS changes to HJR 34. Rep. Ogg made the changes prior to the fisheries committee hearing on 2/9/04. Please contact Melissa Dover at x3820 if you have any questions.

CS changes to HJR 34:

1. p. 2, lines 17-19 deleted

Explanation: This was a simple drafting error. The coordinating resolved statement was removed previously, but the whereas statement was overlooked.

2. p. 2, line 24 – added “due to import-related price fluctuations,” after the word “years;” added “due to loss of market caused by import-related price fluctuations” after second reference to “years”

Explanation: This change makes the resolution specific to salmon fishermen suffering due to imports, which is the basis of Trade Adjustment Assistance. The previous wording would have left it open to fishermen who suffered income losses due to other factors, such as closures for conservation purposes.

3. p. 2, line 28 – deleted “either had reduced fishing earnings in 2001 or did not fish in 2002,” add – “did not fish the preceding year due to import-related price fluctuations or due to loss of market caused by import-related price fluctuations”

Explanation: This language was confusing and year specific. We changed it to make it applicable to coming years and added the “import-related” clauses referenced in #2.

4. p. 3, line 3 – delete “all,” replace with “each”

Explanation: This was a technical change so that each species can be looked at separately since each have different value.

5. p. 3, line 7-9 deleted

Explanation: Terminal markets are a highly complicated issue. In speaking with Sen. Lisa Murkowski’s office, we decided to take it out since we were asking for something that would be very difficult for them to accomplish

6. p. 3, lines 7-9 - added resolved statement

Explanation: This final resolved statement asks the Secretary of Commerce to consider developing a TAA program specific to commercial fishermen, since the current one was designed primarily for agricultural workers.



# UNITED FISHERMEN OF ALASKA

February 17, 2004

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Juneau, Alaska 99801-1172  
(907) 586-2820  
(907) 463-2545 Fax  
E-Mail: [ufa@ufa-fish.org](mailto:ufa@ufa-fish.org)  
[www.ufa-fish.org](http://www.ufa-fish.org)

Representative Dan Ogg  
Alaska State Legislature  
State Capitol (Mail stop 3100)  
Juneau, AK 99801-1182

Dear Representatives Ogg,

United Fishermen of Alaska supports HJR 34 regarding the USDA Trade Adjustment Assistance (TAA) program. The purpose of the TAA program is to provide price adjustment assistance, technical training, and retraining options to help fishermen and farmers impacted by increased foreign trade. All five of Alaska's salmon species qualified as significantly impacted by foreign import increases, but many Alaska fishermen have not qualified due to the details of the program's requirements. We support your work in the Joint Legislative Salmon Industry Task Force and now in bringing forth this resolution addressing the specifics of the program that have prevented many Alaska fishermen from qualifying for price adjustment or retraining benefits.

HJR 34 will help convey the broad support across the state for technical and interpretive changes in the TAA program that if enacted by the USDA and Farm Service Agency, will help provide to Alaska salmon fishermen the technical assistance, retraining benefits, and price adjustment assistance that we feel are intended in the program.

Senator Lisa Murkowski applied substantial effort to open the program to fishermen and UFA's petition qualified all five species of Alaska salmon for the program. We feel it important and timely to suggest improvements to this new program now that we have seen where it falls short in providing the help intended to producers.

United Fishermen of Alaska represents 33 Alaska Commercial fishing organizations and hundreds of individual fishermen and fishing related businesses, altogether representing over 10,000 Alaska fishermen. We support HJR34 and thank you for your attention to this matter.

Sincerely,

Mark D. Vinsel  
Executive Director

#### MEMBER ORGANIZATIONS

Alaska Crab Coalition • Alaska Druggers Association • Alaska Longline Fishermen's Association • Alaska Trollers Association • Armstrong Keta • At-sea Processors Association  
Bristol Bay Reserve • Chignik Regional Aquaculture Association • Chignik Seiners Association • Concerned Area "M" Fishermen • Cordova District Fishermen United  
Crab Rationalization and Buyback Group • Douglas Island Pink and Chum • Groundfish Forum • Kenai Peninsula Fishermen's Association • Kodiak Regional Aquaculture Association  
Kodiak Seiners Association • North Pacific Fisheries Association • Northern Pacific Scallop Cooperative • Northern Southeast Regional Aquaculture Association  
Old Harbor Fishermen's Association • Petersburg Vessel Owners Association • Prince William Sound Aquaculture Corporation • Purse Seine Vessel Owners Association  
Seafood Producers Cooperative • Southeast Alaska Regional Dive Fisheries Association • Southeast Alaska Seiners Association • Southern Southeast Regional Aquaculture Association  
United Southeast Alaska Gillnetters • Valdez Fisheries Development Association • Western Gull of Alaska Fishermen

**Alaska Department of Labor and Workforce Development  
Trade Adjustment Assistance (TAA)**

**TAA Reform Act of 2002**

- TAA programs are available to assist individuals who have become unemployed as a result of increased imports or shifts in production to other countries.
- The goal is to help laid-off workers return to suitable employment as quickly as possible.
- This is a federal program administered by the U.S. Department of Labor and through state employment security agencies.

**Qualifying Requirements**

The worker must have been laid off from a certified company during the approved certification dates.

**Program Benefits**

TAA includes a variety of benefits and reemployment services to help unemployed workers prepare for and obtain suitable employment. Workers are eligible for:

- **Reemployment services:** Reemployment services are available to TAA clients through local One-Stop Job Centers. Services include employment counseling, resume preparation, interviewing skills, etc.
- **Training:** Training opportunities include on-the-job, vocational or technical training and remedial education. TAA pays 100% tuition, books, fees and travel to training. TAA will also pay costs of rent, food and utilities at the training location if the worker is maintaining two separate households. Maximum length of training is 104 weeks or 130 weeks if remedial education is needed.
- **Job Search Allowance:** A job search allowance is payable to cover expenses incurred in seeking employment outside the normal commuting area. A worker may be paid 90 percent of necessary transportation and living expenses (up to a maximum of \$1,250) while searching for such employment.
- **Health Care Tax Credit:** The Trade Act of 2002 created a tax credit of 65% of the cost of a health plan premium for eligible individuals and qualified family members who are enrolled in qualified health plans. Tax credits may be advanced or claimed at the end of year. Eligible individuals include TAA participants receiving weekly TRA benefits, those who are eligible to receive TRA but are still receiving their Unemployment Insurance (UI), and ATAA participants. For information: <http://www.irs.gov>, keyword: HCTC.
- **Relocation Allowance:** When a worker is successful in obtaining employment outside his normal commuting area, the TAA program offers relocation assistance to help them relocate to the new area of employment. A relocation allowance pays 90 percent of the reasonable and necessary expenses of moving the worker and family, household goods and personal belongings to the new location. Additionally, the worker will receive a lump sum payment equal to three times his former average weekly wage (up to a maximum of \$1,250) to help them get settled.
- **Trade Readjustment Allowances (TRA):** TRA is a weekly benefit that begins after Unemployment Insurance (UI) benefits exhaust. To qualify for TRA the worker must have worked at least 26 weeks in the 52-week period prior to his separation date. To be eligible for TRA, the worker must be enrolled in a training program approved no later than the last day of the 16<sup>th</sup> week after the worker's most recent TAA qualifying separation; or the last day of the 8<sup>th</sup> week after the U.S. Department of Labor issues the certification, or be on a waiver. The weekly TRA amount is the same as UI, and basic TRA usually lasts 26 weeks after UI is exhausted. Workers approved for training within 210 days of his layoff date or the company's certification date, whichever is later, may receive up to 52 additional weeks of TRA to complete a training program. In no event may an individual receive more than 130 weeks of allowances
- **Alternative Trade Adjustment Assistance (ATAA):** Alternative Trade Adjustment Assistance is available for a worker over the age of 50 who is laid off from a company that has been certified for ATAA. A worker may choose to receive payments of 50 percent of the difference between pre-layoff wage and his reemployment wage. He must be re-employed within 26 weeks of his layoff date in a full-time job that pays less than \$50,000 per year to be eligible. A participant can receive up to \$10,000 as a wage subsidy over a two-year period. Once the participant chooses ATAA, they are ineligible to receive training benefits or TRA weekly benefits.

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located at <http://www.fsa.usda.gov/pas/news/default.htm>.  
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PROGRAM ANNOUNCEMENT  
United States Department of Agriculture  
Foreign Agricultural Service

PR 0248-03

USDA GRANTS ASSISTANCE TO ALASKA SALMON FISHERMEN  
UNDER TRADE ADJUSTMENT ASSISTANCE PROGRAM

WASHINGTON, Oct. 22, 2003 -- The U.S. Department of Agriculture's Foreign Agricultural Service announced today that salmon fishermen in Alaska may now apply for benefits under the Trade Adjustment Assistance (TAA) for Farmers program.

Under TAA for Farmers, USDA provides technical assistance and cash benefits to producers if an increase in imports of a like commodity has contributed importantly to a decline in price and a loss of income.

After receiving a petition from the United Fishermen of Alaska, USDA investigated market conditions for Pacific salmon. FAS determined that increased imports of frozen salmon fillets contributed importantly to a decline in the landed prices for whole salmon in Alaska by an average of 34.6 percent during marketing year 2002 (January-December), when compared with the previous 5-year average.

USDA will provide technical assistance at no cost to producers through the University of Alaska's Sea Grant Program. USDA's Farm Service Agency (FSA) will issue payments to eligible fishermen. Based on the weighted average of prices received for five species of Pacific salmon, fishermen may receive 3 cents per pound for the salmon they landed in Alaska during 2002.

USDA is mailing application materials to all fishermen who held licenses to fish for salmon in Alaska in 2002. Fishermen may also obtain the TAA application from <http://forms.sc.egov.usda.gov/eforms/mainervlet>, or from their local Farm Service Agency service center. Applications (FSA-229) must be submitted to the Farm Service Agency by January 20, 2004. Salmon fishermen may call 1-866-872-3320 for more information about program services in Alaska.

After producers submit completed applications, technical assistance and training will begin as soon as possible. Financial payments will not be disbursed until after applications are certified.

For general information about the program, contact Jean-Louis Pajot, coordinator, Trade Adjustment Assistance for Farmers, FAS, USDA, at (202) 720-2916, or by e-mail at [trade.adjustment@fas.usda.gov](mailto:trade.adjustment@fas.usda.gov)

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## Trade Adjustment Assistance for Farmers

Fact Sheet  
August 2003

*...TAA provides technical assistance and cash benefits to eligible producers if an increase in imports has contributed to a decline in price, resulting in a drop in net farm income.*

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### What is trade adjustment assistance?

The Trade Act of 1974, as amended by the Trade Act of 2002, established the Trade Adjustment Assistance (TAA) for Farmers program for fiscal years 2003 – 2007.

Under the program, the U.S. Department of Agriculture (USDA) provides technical assistance and cash benefits to eligible farmers and fishermen if increased imports have contributed importantly to a price decline of at least 20 percent. Technical assistance under the program can provide access to a wide variety of resources from USDA's Cooperative State Research, Education, and Extension Service (CSREES), in partnership with a county Extension service, to assist producers in exploring alternative crops and marketing techniques. The program's goal is to help producers respond proactively to import competition through training, cash benefits, and employment services.

### Establishing eligibility for trade adjustment assistance.

Producers must first file a petition with USDA's Foreign Agricultural Service (FAS) to establish eligibility for assistance. Petitions may be filed by a group of three or more producers or an authorized representative. The TAA petition form may be found on the Internet at <http://www.fas.usda.gov/taa/fas0930.pdf>. A copy may also be obtained from a USDA Farm Service Agency county office, or requested by phone at (202) 720-2916 or by writing to USDA, Foreign Agricultural Service, Trade Adjustment Assistance, STOP 1021, 1400 Independence Avenue, SW, Washington, DC 20250-1021, or e-mail at [trade.adjustment@fas.usda.gov](mailto:trade.adjustment@fas.usda.gov).

FAS will certify producers' eligibility for adjustment assistance if they can demonstrate that their prices are less than or equal to 80 percent of the national average price during the previous 5 marketing years and that increases in imports of like or competitive products "contributed importantly" to the decline in prices.

### Am I eligible for Trade Adjustment Assistance?

You are eligible for TAA benefits once a petition has been certified and if:

- You are an owner, operator, landlord, tenant, or sharecropper who shares in the risk of producing a crop and who is entitled to share in the crop available for marketing from the farm, or qualified fishermen.
- You are a producer of a raw agricultural commodity, including livestock, fish,

and aquaculture products.

You are ineligible if:

- You are a processor of commodities. This excludes: cleaning, grading, coating, sorting, trimming, mixing, conditioning, drying, dehulling, shelling, chilling, cooling, blanching, irradiating, or fumigating.
- Your farm is located outside of the producing area covered by the petition.

#### **APPLYING FOR trade adjustment assistance.**

Only producers covered by a certification of eligibility may apply for adjustment assistance. An eligible producer must apply for adjustment assistance within 90 days after the certification date. FSA county offices can help producers prepare and submit their applications.

#### **Eligibility for Technical Assistance.**

After submitting an application, producers are immediately eligible to request trade adjustment technical assistance from the Extension service at no cost. The Extension office will provide information regarding the feasibility and desirability of substituting one or more alternative commodities and technical assistance that will improve the competitiveness of the production and marketing of the adversely affected commodity.

#### **Qualifying for Trade Adjustment Assistance Payments.**

To qualify for a TAA cash payment, producers must complete Form FSA-229, meet with the county Extension service, and submit all supporting documentation by September 30. If an applicant has already received \$10,000 in TAA benefits or \$65,000 in counter-cyclical payments for the year, reported an increase in net farm or fishing income in the most recent tax year, or has an annual adjusted gross income greater than \$2.5 million, he or she is disqualified from receiving an additional TAA cash payment.

The amount of cash payment will be equal to the quantity produced in the most recent marketing year multiplied by one-half the difference between the average price in the most recent marketing year and 80 percent of the average price for the 5 preceding marketing years.

#### **Where can I obtain further assistance?**

Your first stop should be your local FSA county office. You can also contact the Trade Adjustment Assistance Office, Foreign Agricultural Service, at (202) 720-2916 or write to USDA, Foreign Agricultural Service, Trade Adjustment Assistance, STOP 1021, 1400 Independence Avenue, SW, Washington, DC 20250-1021, or e-mail at [trade.adjustment@fas.usda.gov](mailto:trade.adjustment@fas.usda.gov).

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#### **U.S. DEPARTMENT OF AGRICULTURE TRADE ADJUSTMENT ASSISTANCE FOR FARMERS**

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To file a complaint of discrimination, write USDA, Director, Office of Civil Rights, Room 326-W, Whitten Building, 14<sup>th</sup> and Independence Avenue, SW, Washington DC 20250-9410 or call (202) 720-5964 (voice and TDD). USDA is an equal opportunity provider and employer.