

**HB**

**88**

**<TARGET><BILL>HB 88</BILL><SUBJECT>HB  
88</SUBJECT><COMM>HFSH30</COMM></TARGET>**

# Alaska State Legislature



**Leadership**  
Majority Whip

**Chair**  
Fisheries Committee  
Transportation Committee

**Member**  
Rules Committee  
Labor and Commerce Committee  
Legislative Council

**REPRESENTATIVE LOUISE STUTES**

**District 32**

**Kodiak-Cordova-Yakutat**

**E-Mail:** Rep.Louise.Stutes@akleg.gov

**Session:**  
Alaska State Capitol, #406  
Juneau, AK 99801

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**Interim:**  
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House Bill 88 "An Act relating to the composition of the Board of Fisheries."

## **Sponsor Statement**

House Bill 88 changes the composition of the Board of Fisheries from seven to nine members. The additional two members will benefit the Board by adding more diversity of interest, greater breadth of knowledge, and more points of view.

The governor appoints members to the Board on the "basis of interest in public affairs, good judgment, knowledge, and ability in the field of action of the Board" (AS 16.05.221). Members are not chosen because they pertain to specific geographical areas or identify as either sport, commercial or subsistence fishermen. However, the fact that the Board is only seven members is in conflict with the expectations of many Alaskans for a representative from their own region. Satisfying these expectations would require a larger board, which HB 88 seeks to accomplish.

# Fiscal Note

State of Alaska  
2017 Legislative Session

Bill Version: HB 88  
Fiscal Note Number: \_\_\_\_\_  
( ) Publish Date: \_\_\_\_\_

Identifier: HB088-DFG-BBS-02-03-2017  
Title: BOARD OF FISHERIES MEMBERSHIP  
Sponsor: STUTES  
Requester: (H) FSH

Department: Department of Fish and Game  
Appropriation: Statewide Support Services  
Allocation: Boards of Fisheries and Game  
OMB Component Number: 2048

**Expenditures/Revenues**

Note: Amounts do not include inflation unless otherwise noted below. (Thousands of Dollars)

	FY2018 Appropriation Requested	Included in Governor's FY2018 Request	Out-Year Cost Estimates					
			FY 2018	FY 2019	FY 2020	FY 2021	FY 2022	FY 2023
<b>OPERATING EXPENDITURES</b>								
Personal Services	40.5		40.5	40.5	40.5	40.5	40.5	40.5
Travel	28.9		28.9	28.9	28.9	28.9	28.9	28.9
Services	12.5		12.5	12.5	12.5	12.5	12.5	12.5
Commodities	3.4		3.4	3.4	3.4	3.4	3.4	3.4
Capital Outlay								
Grants & Benefits								
Miscellaneous								
<b>Total Operating</b>	<b>85.3</b>	<b>0.0</b>	<b>85.3</b>	<b>85.3</b>	<b>85.3</b>	<b>85.3</b>	<b>85.3</b>	<b>85.3</b>

**Fund Source (Operating Only)**

1004 Gen Fund (UGF)	85.3		85.3	85.3	85.3	85.3	85.3	85.3
<b>Total</b>	<b>85.3</b>	<b>0.0</b>	<b>85.3</b>	<b>85.3</b>	<b>85.3</b>	<b>85.3</b>	<b>85.3</b>	<b>85.3</b>

**Positions**

Full-time								
Part-time								
Temporary								

**Change in Revenues**

None								
<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>	<b>0.0</b>	<b>0.0</b>

**Estimated SUPPLEMENTAL (FY2017) cost:** 0.0 (separate supplemental appropriation required)  
*(discuss reasons and fund source(s) in analysis section)*

**Estimated CAPITAL (FY2018) cost:** 0.0 (separate capital appropriation required)  
*(discuss reasons and fund source(s) in analysis section)*

**ASSOCIATED REGULATIONS**

Does the bill direct, or will the bill result in, regulation changes adopted by your agency? No  
If yes, by what date are the regulations to be adopted, amended or repealed?

**Why this fiscal note differs from previous version:**

Not applicable, initial version.

Prepared By:	Glenn Haight, Executive Director	Phone:	(907)465-6095
Division:	Boards Support Section	Date:	02/03/2017 03:00 PM
Approved By:	Carol Petraborg, Director	Date:	02/03/17
Agency:	Division of Administrative Services		

FISCAL NOTE ANALYSIS

STATE OF ALASKA  
2017 LEGISLATIVE SESSION

BILL NO. HB 88

Analysis

This bill increases the membership of the Board of Fisheries from seven (7) to nine (9) members. This will lead to increased costs.

**Two new board members under the existing schedule:**

In the last three years (FY14-FY16), the average board honorarium for a member is \$12,788.45 (personal services). The average travel costs to regulatory meetings over the same time is \$7,775.53 (travel).

For two new members, the increased costs are:

**Personal Services**

Board honorarium - \$25,577

**Travel**

Board travel - \$15,551

Total of two new members traveling on existing schedule - \$41,128

**Increase in board meeting schedule:**

Increasing the size of the board increases board member participation. At every point in a board meeting, whether it is staff reports, public testimony, ethics disclosures, committees, and board deliberations, having two additional seats at the table will increase the amount of time it takes to conduct a meeting.

Two additional members increases the board make-up by over 28%. This analysis assumes two new board members will increase board meeting time by 20%. The average meeting days per cycle over the last three years is 31. This would increase the meeting days by 6. Below are the increased costs to board members and staff from an increase in meeting days.

**Personal services**

Board honorariums - \$14,958 (9 board members x \$277/daily honorarium x 6 meeting days)

**Travel**

Board member travel - \$9,990 (9 board members x \$185/daily travel costs x 6 meeting days)

Board staff travel - \$3,330 (3 board staff x \$185/daily travel costs x 6 meeting days)

**Services**

Meeting facility costs - \$12,451 - (\$2,075 average daily meeting costs x 6 days)

**Commodities**

Meeting facility costs - \$3,379 (\$563 average daily meeting costs x 6 days)

Total increase from longer meetings - \$44,108

Total \$85,236

This analysis does not include additional overhead costs associated with printing, travel arrangements, and other administrative functions unique to supporting a board member.

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**REPRESENTATIVE LOUISE STUTES**

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## **DFG/BOF - Brief History**

In 1949, the Territorial Legislature created the Alaska Territorial Fishery Service in an attempt to influence federal management practices that had decimated salmon populations in Alaska. The Territorial Fishery Service had no authority, but they commented on federal regulations, conducted research, and tried to influence the federal managers.

In 1957, in anticipation of statehood, the Territorial legislature expanded and renamed the Alaska Fishery Service to the Alaska Department of Fish and Game.

The first state legislature (January 1959 - March 1960) created the Board of Fish and Game and the fish and game advisory committees system. The Board of Fish and Game consisted of *nine* citizens appointed by the Governor and confirmed by a majority vote of the legislature. In spring 1975, the legislature separated the Board of Fish and Game into separate Boards, which continues today.

(Source: <http://www.adfg.alaska.gov/index.cfm?adfg=about.history>)

## **About the Board**

The Alaska Board of Fisheries consists of seven members serving three-year terms. Members are appointed by the governor and confirmed by the legislature. Members are appointed on the basis of interest in public affairs, good judgment, knowledge, and ability in the field of action of the board, with a view to providing diversity of interest and points of view in the membership (see Alaska Statute 16.05.221).

The Board of Fisheries' main role is to conserve and develop the fishery resources of the state. This involves setting seasons, bag limits, methods and means for the state's subsistence, commercial, sport, guided sport, and personal use fisheries, and it also involves setting policy and direction for the management of the state's fishery resources. The board is charged with making allocative decisions, and the department is responsible for management based on those decisions.

The board has a three-year meeting cycle (PDF 32 kB). The meetings generally occur from October through March. The Board of Fisheries meets four to six times per year in communities around the state to consider proposed changes to fisheries regulations around the state. The board uses the biological and socioeconomic information provided by the Alaska Department of Fish and Game, public comment received from people inside and outside of the state, and guidance from the Alaska Department of

Public Safety and Alaska Department of Law when creating regulations that are sound and enforceable.

Source: <http://www.adfg.alaska.gov/index.cfm?adfg=fisheriesboard.main>

## **Board Process**

### **Board of Fisheries**

The Board of Fisheries is the state's regulatory authority that passes regulations to conserve and develop Alaska's fisheries resources. The Board of Fisheries is charged with making allocative and regulatory decisions. The board has seven members, each appointed by the governor for a three year term. Each member must be confirmed by a joint session of the state legislature.

### **Commissioner**

The commissioner is the principal executive for the Alaska Department of Fish and Game; responsible for the protection, management, conservation, and restoration of Alaska's fish and game resources.

### **Joint Board**

The Joint Board of Fisheries and Game set the regulations for advisory committee guidelines. These include the establishment of advisory committees, setting the number of seats by community if more than one community is represented on the committee, and setting the guidelines for uniform rules of operation. The composition of advisory committees can be changed by the Joint Board after they receive a proposal and meet to act on the proposal.

### **Advisory Committees**

Advisory committees are the local groups authorized by state law to provide recommendations to the boards on fishing and wildlife issues. There are 84 committees throughout the state each with expertise in a particular local area. Meetings are always open to the public and are generally attended by department staff and members of the public who can offer background information on agenda topics. Advisory Committees are intended to provide a local forum on fish and wildlife issues, and are critical policy bodies to the boards.

(Source: <http://www.adfg.alaska.gov/index.cfm?adfg=process.main>)

Amendment #1

30-LS0375VA.1  
Bruce/Bullard  
2/8/17

AMENDMENT

OFFERED IN THE HOUSE  
TO: HB 88

BY REPRESENTATIVE CHENAULT

1 Page 1, line 1, following "Fisheries":

2 Insert "; and relating to meetings of the Board of Fisheries"

3

4 Page 1, following line 13:

5 Insert a new bill section to read:

6 **\*\* Sec. 2.** AS 16.05.251 is amended by adding a new subsection to read:

7 (j) The board shall meet on a five-year cycle to consider regulatory proposals  
8 for management of a specific fishery. The board shall rotate the location of a meeting  
9 cycle for a specific fishery under this subsection between at least three different  
10 communities with populations of 4,000 or more within the applicable fishery."

AMENDMENT

#2

OFFERED IN THE HOUSE  
TO: HB 88

BY REPRESENTATIVE FANSLER

1 Page 1, line 10, following "membership.":

2 Insert "Three members shall be appointed who reside in communities that are  
3 located off of the interconnected state road system."

4

5 Page 1, lines 11 - 12:

6 Delete "or geographic location of residence"

7 Insert "[OR GEOGRAPHIC LOCATION OF RESIDENCE]"

# UNITED SOUTHEAST ALASKA GILLNETTERS

Box 2196, Petersburg AK 99833 \* (253) 237-3099 \* usag.alaska@gmail.com \* akgillnet.org

February 19, 2017

House Fisheries Committee  
Representative Stutes, Chair  
Alaska State Legislature  
Juneau, AK 99811  
Via email: Rep.Louise.Stutes@akleg.gov

Re: **OPPOSITION for HB 88** - *"An Act relating to the composition of the Board of Fisheries"*.

Dear Representative Stutes and Committee Members:

United Southeast Alaska Gillnetters (USAG) opposes HB 88, which proposes to change the composition of the Board of Fisheries from seven to nine members. We believe the stated potential benefits of this proposed bill, *"adding more diversity of interest, greater breadth of knowledge, and more points of view to the Board"* will NOT necessarily be accomplished by increasing membership. While admirable benefits, adding more members will instead take significantly more time, including an estimated 20% more meeting time, and cost about \$85,000 per year. Importantly, adding members does not fix meeting performance issues such as quieting member knowledge with current conflict of interest policies.

We agree with you Representative Stutes that Alaskans tend to expect those making up the Board of Fisheries should fairly represent ranges of geography and user groups. Alaska statute 16.05.221, which guides the Governor's Board of Fish appointments does not address these valid expectations. We are watching HB 87 that would allow Board of Fish members to deliberate on regulatory proposals, in hopes that, if passed, will utilize Members' knowledge and points of view, thus addressing proposed benefits of HB 88.

Thank you for the opportunity to comment. Please feel free to contact me with questions.

With respect,



Cynthia Wallesz  
Executive Director

The mission of United Southeast Alaska Gillnetters is to protect, serve and enhance the gillnet fleet of southeast Alaska. We represent the interests of 473 salmon gillnet permit holders and their families.



## Southeast Alaska Fishermen's Alliance

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Website: <http://www.seafa.org>

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February 8, 2017

House Fisheries Committee  
Representative Stutes, Chair  
Alaska State Legislature  
Juneau, AK 99811

RE: OPPOSE HB 88 – Composition of the Board of Fisheries

Dear Committee Members,

**Southeast Alaska Fishermen's Alliance (SEAFA) opposes HB 88 to expand the Board of Fish to nine members instead of seven.** The benefit (if there is any) of having two additional board members **does not justify the increased cost of** adding two additional board members in the face of the State's fiscal situation. HB 87 will do more for improving the Board of Fish than the addition of two more board members.

We listened to the committee hearing and don't believe that the Legislature should further define a regional or gear/user type to be appointed to the Board of Fish in Statute. The legislature should ensure that ethical individuals without personal agendas be confirmed to the Board of Fish and try to maintain a diversity of knowledge and backgrounds.

SEAFA is a multi-gear/multi-species membership based commercial fishing association representing our 300+ members involved in the salmon, crab, and shrimp fisheries of Southeast Alaska as well as longline fisheries in SE and the Gulf of Alaska.

Sincerely,