

ALASKA LEGISLATURE SPECIAL COMMITTEE / SUBJECT FILES 86/2  
868 SCOM31 : SPECIAL COMM. FISHERIES (LIMITED ENTRY) 1973

(Simultaneous speech)

CHAIRMAN: Mr. Juhill (sp).

MR. JUHILL (sp): Just to point out how big a problem it is, my vote is the same as anyone else. I come from Fairbanks where we don't have this problem, yet I've got to be as much ready and as knowledgeable to support the right things for the fishery as anybody else does, or I can do the wrong thing.

MR. JOHNSON: Well, the main thing I wanted to--main thing I wanted to know if there'll be more hearings, cause I know from areas there'll be a lot more input to this (indisc.--simultaneous speech).

CHAIRMAN: Anyone else wants to (indisc.).

JAY STEVENS: My name's Jay Stevens. I'm secretary--I mean treasurer for the Associated Fishermen at Yakutat, and I'd like to talk to you just on my own, though. I agree Jim, here, mostly on--although, what he says I--I'm afraid of this economic dependence that is written into this bill. I think that we could better utilize participation. I see that--well, I'd like to take myself as an example. I fished quite a few year very hardly, you might say, in a professional capacity, and starved every year. And, finally I decided, well, Stevens, you'd better do something. Your wife and kids want some money to live on. So, I started shopping around for some things to do, and one of the first things I did was I bought a school bus, because they needed one in Yakutat. And so, I became a contractor with the State so I could have a winter income, so I wouldn't have go on a welfare check. And, then, that didn't quite do it, so I took up a lease on a service station and garage. Now, possibly in some years

this could be very hard on me, and yet I've got quite an investment. I've got a \$20,000 troller to start with, which right now is sunk, but that's neither here or there. I hope to get it back. And this kind of scares me to right now. I come down here to testify on this, and my boat sinks the day I come down, and I don't even know where I stand now. I don't even have a boat. What's going to happen to me in my case, see. But, we have people like my people at home where they have, let's say, they stated in there an average on year was \$2,300. Now they're really dependent. They are really dependent on that fishery. But, if you--if you hold a person back for trying to improve his lot, I don't see where--where it's a good thing. The thing that I could see possibly is I will have to get out of the bus business, and I will have to get out of my service station business, to be able to continue being a troller. And, if I can't make it then I'm going to have to put myself on the welfare dole, and draw a G.A, so that I can qualify to fish in the Gulf of Alaska. I have a couple of other things I wanted to bring up, and I guess that's about done. That's the main parts that I was really--really scared about. I think that there's quite a few people are scared about is the--is this dependence, economic dependence. And, I'm sure there was something else, but I'll be open for questions.

CHAIRMAN: Is there any questions from members of the Committee?

UNIDENTIFIED SPEAKER: I think he struck at the heart of the question in the bill. I don't have any answers. (indisc.) to find out.

CHAIRMAN: Thank you, Mr. Stevens. Do you have a question? (pause)

Anyone else wants to testify?

UNIDENTIFIED SPEAKER: Mr. Chairman.

STEVE MEYER: Yeah, my name is Steve Meyer, and I'm representing myself.

CHAIRMAN: Steve, what's the last name?

MR. MEYER: Meyer. Well, I'll just toss this around a little bit.

As I understand it, this limited entry is an effort to insure the economic stability of the fishermen, and I've also heard some talk about saving the fishery by doing this. It seems to me that probably one of the biggest problems is the depletion in the runs of the fish, and by limiting entry of the individual fishermen in the fishing--let's say we've got 5,000 boats fishing in Alaska today and we cut them by three-quarters. Okay, well, the gear is going to be--has been, in fact, developed over the years to make each individual boat more and more efficient. Each--for instance, your gillnetters are a lot more able today to take more fish than they were, perhaps, twenty years ago. This is the Resource Committee I'm talking to, and fish is a renewable resource, and as I see it there's being nothing done to renew this resource. And, the way I feel about this is that strictly limiting the number of fishing is like burying your head--or of fishermen is burying your heads in the sand on the issues at hand, because in a few years they're going to have to limit the number of fishermen even more than you're doing today. And, as I see it, in a certain number of years there's going to be very few people who can fish just because there aren't going to be any fish left.

CHAIRMAN: Are you ready for questions?

MR. MEYER: Yeah.

CHAIRMAN: Mr. Tillion.

MR. TILLION: There happen, to be a few fisheries that aren't completed yet, such as some of our king crab schools that are now operated on the sustained yield of tonnage, where a few years ago the fishermen fished twelve months a year to fill his quota. I believe the Kodiak season was 23 days, wasn't it? This is an economic disaster. It's not that the fish--or in this particular case, the fishery hasn't been hurt. It can go on indefinitely, but what you've done is literally done is put the fishermen to the wall. There's no way to repair a half-a-million-dollar or \$300,000 vessel, and this is what it takes to fish salmon. And how do you do it when more and more and more come in? How do you do it in a shrimp fishery, in a gillnet fishery that you have to keep reducing it, and still you finally have a volume of gear off the mouth of a river that a couple hours mistake on opening can mean the total disaster of the run. And, so, this is why the conservation element was brought in.

MR. MEYER: This to me, though, is false conservation because you're-- okay, let's say in Southeastern Alaska they cut the present 460 licenses to 250 like, or to 300, or whatever they cut it to. This isn't going to insure against those 300 doing exactly the same thing as the 475 are doing today.

MR. TILLION: If you make it a property right. Of course, now, I wouldn't say there's any free property in Southeastern, or any illegal fishing. There probably isn't. But, if you make that license a property right, to sell when he is retired, or sell even if he doesn't want them, somehow or another in other areas where this has been done, they become very conservation

minded for some reason or other.

MR. MEYER: Well, we're salmon fishery here, and that's not the...

MR. TILLION: Oh, I think if we let this bill go to salmon only we'd be real remiss in our duty. There are lots of fisheries that are not yet in danger that should be covered. I'm talking--I realize all you saw was this bill. I believe it should probably be expanded to all fish, but...

MR. MEYER: But why attack the fishermen, rather than spend some money to put more fish out?

MR. TILLION: Only God can make a fish.

MR. MEYER: There's fishery programs going on in the world that are effective, that are putting salmon into the seas. In Canada they have a pretty good program.

CHAIRMAN: With the amount of gear we have now, we are putting quite a bit of money into rehabilitation, there's continuous increase in the program, but the amount of gear there is now there's no way that in the next hundred years we could create enough fish to satisfy the number of fishermen we have now. There's no way.

MR. TILLION: The university...

CHAIRMAN: ...all over the State.

MR. TILLION: Not with unlimited entry. The University of Alaska's study, which is four years old now, showed that if Alaska really dedicated themselves to it and didn't worry about the dollar amount it cost, they could have a fifty percent increase in salmon. And, to expect at least a sixty percent increase in fishermen in the same period, which still leaves you without a limit.

**CHAIRMAN:** The State won't go under lock and rehabilitate the program, like say, the State of Washington did. Spent \$14 million dollars to raise \$12 million worth of fish. There are other things that have to be (indisc.). Mr. (indisc.)

**UNIDENTIFIED SPEAKER:** I think that there are--although this bill isn't just--is mainly economical in the main thrust, but it does have a relation to biology, because, you take the (indisc.) run of fish in, like, the Haines run up here in the Chilkat River. Nobody knows how many fish is going to come in on any given year. Nobody has--well, there's indications, but nobody knows how much you will have. You have X amount of boats out there, say it's 200 boats. So, the Fish and Game says, well, given the--normally there's 500,000 dogs come in here, we can let these guys fish three days a week. Well, what if they're wrong. See, by having such a huge fleet, you can only--if you let it fish one hour too long, it may have severely hurt the run. And it gets worse and worse, whether into Canada where they've got two 12-hour periods, 24 hours out of the whole week. So if they let them fish that's even more than 12-hour periods, they might wipe out a portion of the runs. So, the size of the fleet does have a relation, you know, the biology. But this bill is aimed at more than just biology. It's the economics of trying to combine people with a living that I'm...

**MR. MEYER:** Yeah, well, I understand that this is aimed at economics, but I think that it's really short-sighted. That without any attempt at some sort of fisheries program, that you're not going to be any better off in ten years. Instead of 250 gillnetters, your going to have to only allow 100. Now, it

seems to me that limited entry is just taking the fishing industry and turning it into the type of--well, like farming today. A small farmer can't farm, because of mechanization. The big farmers drove him out of business. So, the same thing is going to happen here. I might--you know, at least the way I see it.

CHAIRMAN: Mr. Tillion.

MR. TILLION: I'd like to take farming. The United States has a food surplus, and the Russian Ukurain that operates it as a public resource where no man owns his own land, has never reached the 1960 production that they had under the Czar. And so, they have to buy the food from us to eat. And we now have reached the point that we have allowed our fisheries to so deteriorate, that the United States buys 70 percent of the fisheries products we use, because somebody else can produce them cheaper than we can. And, the failure of a common lease off is just like the common pastures of Old Eng'and. There was always ten sheep more in the pasture than there was grass to feed them. And that's what we have here. And though I agree with you on rehabilitation, rehabilitation without gear limitation leads nowhere.

MR. MEYER: Yeah, well, gear limitation without rehabilitation leads nowhere is probably scary(?).

MR. TILLION: ...for those that are in it.

MR. MEYER: I mean, you're going to be able to support fewer and fewer and fewer people then, obviously if no fish are put back into the streams, if no creeks are rehabilitated. And just simply limiting the number of fishermen isn't even--you know, it--it's just--it's going to help right now, and that's

about all.

CHAIRMAN: How did you reason this?

MR. MEYER: You don't.

CHAIRMAN: Mr. Eliason.

MR. ELIASON: Steve, evidently you don't buy the concept of limited gear, then?

MR. MEYER: At least not the way this--this thing is set up. I don't--  
I...

MR. ELIASON: What's your objection to the bill? We're not...  
proceeding with that bill, not with...things in general.

MR. MEYER: Well, it's a wide open bill. It doesn't state how the limitation is going to be handled, which forms of fishery are going to be affected by it. For instance, you know, I happen to be a troller, so I'm interested what's going to happen to the trollers. And, you know, I've looked at the other bill--the Senate bill, and the format that was laid down, and, you know, it gives the percentages of who catches how many fish. I want to know, and all the rest of the fishermen want to know, okay, how are you going to regulate this? You know.

MR. ELIASON: In other words, you want specific guidelines outlined in the bill so you know exactly where you stood?

MR. MEYER: Actually, I'm not--I am opposed to regulation. Yeah, I'm opposed to it, especially to this bill because it doesn't give me any idea of where I stand or where anybody else stands.

MR. ELIASON: Well, you know, as in regards to the other programs the State has, there's many of us sitting in this Committee--you can check the history of this particular Committee--that have supported time after time after time rehab bills, hatchery

bills, the whole ball of wax. And we know it will probably fit(?). But this seems to be a case of economics, and we certainly aren't going to delute our efforts in this direction. We're just trying to find another way of--they both have to be done, we realize that, and we're certainly not going to give up the--our other endeavors on trying to get more in the State.

CHAIRMAN: Mr. Hubbard (sp.).

MR. HUBBARD (sp.): I was just going to make the same comment, Steve, That it's obvious that we'd be very short-sighted if we didn't have some rehabilitation program after limiting the gear, but as was pointed out by Mr. Tillion and Chuck here, it wouldn't do any good to continue operating the way it is, because it's uneconomical for the fishermen, and there isn't going to be any fish left. And we've got to do something, and to me, this looks like a good place to start, but coupled with the rehabilitation program, we sure hope that (indisc.) can make it economical.

MR. MEYER: Yeah, well, I don't know. It's--yeah, I'd just like to see something more definite. I mean, this--this bill--all it means to me is that there's going to be a commission set up by--up there in the heavens, and they're going to tell me if I can go fishing or not when I walk in and apply for my license. I won't know until that day if I'm going to get to fish or not.

CHAIRMAN: Mr. Naughten (sp.).

MR. NAUGHTEN (sp): I think this--all of us here are preaching, and I might as well come right as well come right to it. Are you saying, then, that do not pass this bill and in its place pass three location provisions? Is that what you're saying?

MR. MEYER: I would prefer seeing that, yes.

MR. NAUGHTEN (sp): In other words, you're saying do not pass this bill?

MR. MEYER: Well, I'm saying, do not pass this bill as it stands, for sure. I wouldn't want to see it passed.

MR. TILLION: Would you mind...

CHAIRMAN: Mr. Tillion, hold on, this is another one. Were you done, Mr. Naughten.

MR. NAUGHTEN: Yeah.

CHAIRMAN: (Indisc.--addressing female speaker).

UNIDENTIFIED SPEAKER: Thank you.

CHAIRMAN: Then you're next, Clem.

UNIDENTIFIED SPEAKER: Mr. Meyer, I'm getting back to this economic dependence concern again, and professionalism, which is part of the concept of this bill. So, forgive me for asking these questions, cause I'm fishing for some guidelines for myself. How many months or weeks annually do you fish and where?

MR. MEYER: Oh, let's see--four or five months.

UNIDENTIFIED SPEAKER: Four or five months. I assume...

MR. MEYER: As many months as I can be out there.

UNIDENTIFIED SPEAKER: I assume you also, then, do have to take another position in the winter like most of the others who testified they do work elsewhere.

MR. MEYER: Yeah, I have enough (indisc.).

UNIDENTIFIED SPEAKER: Thank you.

CHAIRMAN: Don't be disturbed. ...Tillion. Any more questions? Is that all you have? I've got a gentleman back here that wants to testify.

UNIDENTIFIED SPEAKER: Well, I'd like to agree with Steve there

on the part of the bill where he said that--well, it doesn't give the people the freedom--it takes the freedom away from the people. In other words, a person couldn't go fishing if they wanted to.

MR. TILLION: Do you argue with the fact that you could go farming if you wanted to? You don't want a few to become like farmers where you have to buy a farm to get in? It should be like farming.

UNIDENTIFIED SPEAKER: It is farming.

MR. MEYER: You have to buy a boat to get in. The point of it is, it's going to make it so you have to buy a \$25,000 boat to get in.

MR. TILLION: Oh, well, don't get me wrong. I'm with you a lot on that commission. I couldn't be able to go home without being able to pin it down myself. But, do you object to the fact that a license would become a property right just like the ownership of a farm? You don't become a farmer by buying a plow. You become a farmer by buying a piece of land. And when we start farming our sea instead of hunting it...

CHAIRMAN: Please, there's someone has the floor here. We've got a lot to...

MR. TILLION: But do you object to that concept? Do you object to the concept of license ownership?

MR. MEYER: License ownership...

MR. TILLION: If you could see in this bill what it would amount to, would you object to licensed owners?

MR. MEYER: I don't know. It's--I'm not sure if I do or not.

CHAIRMAN: Okay. Thank you.

UNIDENTIFIED SPEAKER: Mr. Chairman. So that I'm not confused with (indisc.) here, I believe this witness has said to me, that if I have the ability to fish and the equipment to do it, I want to be able to do it without having some other kind of a license. I think that's what he said to me. If he didn't say that, I want to know what he means before he leaves.

MR. MEYER: Yeah, that's how I feel. And, if the whole thing is such a mess and as much chaos, you know, like I haven't been fishing for years and years and years, so that I don't have the experience. I don't know as many other fishermen, as perhaps some of the other men here know. The areas where I've seen economic failure is in seining, and in Bristol Bay they had a pretty big catastrophe in gillnetting. But in Southeastern Alaska, I can't see that the fishermen are in economic trouble. The gillnetters and the trollers. The seiners--there's so damn many of them, and they have to catch so many fish to make it, that I can see where they, you know, the average crew member make eighteen hundred bucks or so. Now that's not...

UNIDENTIFIED SPEAKER: I'm only trying to understand. I was raised a farmer boy on one of those marginal farms, but I hear it referred to like farming and the same kind of things. I can understand it a little easier.

CHAIRMAN: If there are no questions of the witness, we have someone else. Would you give your name and who you represent.

TONY GUGENBICKLER: I'm Tony Gugenbickler. I represent the Wrangell vessel owners.

CHAIRMAN: How do you spell that?

(Laughter)

UNIDENTIFIED SPEAKER: T-o-n-y. Just like it sounds.

MR. GUGGENBICKLER: G-u-double g-e-n-b-i-c-k-l-e-r.

CHAIRMAN: You don't mind if I call you Tony, do you?

MR. GUGGENBICKLER: No.

(Laughter)

MR. GUGGENBICKLER: We feel the bill passed should reflect these views among others. All fishermen should get a permit, excluding the paper license holder. And we would like to see a great deal of leniency in the infancy of this program. We would like to die-offs and quitters bring the level of permit holders down to the level sought by the Commission. And we also feel very strongly that all fisheries, present and future, and not only salmon, be limited.

CHAIRMAN: Is there any questions? Mr. Tillion.

MR. TILLION: Do you have any objections to having the commission? Some of the other people mentioned that they were afraid it would (indisc.).

MR. GUGGENBICKLER: None whatsoever.

MR. TILLION: Even if it has the power to take that license away?

MR. GUGGENBICKLER: Under this it has (indisc.).

MR. TILLION: (Indisc.) the same commission.

MR. GUGGENBICKLER: No, I believe in the commission concept.

MR. TILLION: Just so long as it doesn't have the power to take an existing license away?

MR. GUGGENBICKLER: Well, without a valid reason.

(Indisc.--simultaneous speech)

CHAIRMAN: Mr. Horton (sp).

MR. HORTON (sp): That was my same question of concern was the

commission itself (indisc.).

CHAIRMAN: Thank you.

MR. GUGGENBICKLER: Thank you.

CHAIRMAN: Who were you representing, Tony?

MR. GUGGENBICKLER: Wrangell Vessel Owners Association.

CHAIRMAN: Go ahead and give your name (indisc.) right now.

CHRIS BIRCHARD: Chris Birchard, and I'm a troller and I represent myself.

CHAIRMAN: Chris, what's the last name?

MR. BIRCHARD: Birchard. B-i-r-c-h-a-r-d. And I have two points I'd like to bring up, and one of them is this--there's quite a few trollers who make maybe \$3,000 or \$4,000 a year and they're happy with that. I mean, they even quit when they make \$4,000, and I hate to see those people kicked out, because they don't need any more money than that to live, and they're not depleting the fisheries, and it's going to be those people that are kicked out. They're pushing out the small guy. And the guy's a small guy, cause he elects to be. And my other point is on this chart here, Alaska salmon net gear registration, current and optimum levels. So, right here it says, Units registered in 1971, drift gill nets, 475 for Southeast, and then it says, optimum units required, 250. That's a cutback of almost fifty percent, whereas the Southeastern purse seiners were cut back from 358 to 300. That's not near the percentage of the cutback in gillnetters, and it seems to me you're putting a lot more people out of a job and not catching that many more fish. Well, you're catching the same amount of fish. And, whereas, why don't they cut back the seiners a reasonable percentage.

CHAIRMAN: Mr. Gardner.

MR. GARDNER: Yeah, one thing about that piece of paper, should have never been published.

MR. BIRCHARD: Yeah, I think so.

MR. GARDNER: Because it doesn't mean anything. It doesn't have any relation to what the bill... You read the beginning section there. It doesn't say that that's what the commission's going to do. It just says that this is--some biologist drew this up, and I think there's--it just doesn't have that much relationship to what's really going to happen. That's just like saying the optimum level for legislators in the room was whatever it is, but that isn't what's going to happen. Anyone looks at one criteria that's mentioned in the bill, not three criteria. So, I know the newspapers, as good as they are, go around quoting 46 percent reduction on Alaska's fisheries. That's the only headline they know how to print, but I think people should at least read what that's all about before just looking at that and saying, that's what's going to happen, because that wasn't even projected on the basis of gear limitation, it was projected on optimum levels. It doesn't have anything to do with it.

MR. BIRCHARD: I see. Well, I hope they don't use this as a guideline, because I think it's inefficient.

CHAIRMAN: Mr. Harvey, and then Mr. Tillion. You don't have nothing?

MR. HARVEY: Chris, you mentioned that there were some fishermen that fish just a few months out of the year and make, say, \$12,000, or whatever it is, and maybe not do anything else. How about-- what do you think about a school teacher that makes 12, 16, 18 thousand, and that same period of time, that three or four months,

goes out and does the same thing again in fishing.

MR. BIRCHARD: Well, I'd say that's alright in a certain sense, because he has a standard of living that he likes to maintain and he wants it that way, but there's some people--like there's an old man out in Elfin Cove, and he quits fishing when he makes enough money. I mean, he loves fishing, but he doesn't want to take any more salmon out of the water than he has to to make himself happy.

MR. HARVEY: Then how about the fisherman that doesn't make it and is on welfare the rest of the time?

MR. BIRCHARD: Well, I don't think he should be eliminated either. I think he should be able to go out and look for another job. I-I'm just saying that...

CHAIRMAN: Excuse me a minute. If you want a chance to testify, would you wait your turn cause...

UNIDENTIFIED SPEAKER: I only testify when there's something that comes up that I...

CHAIRMAN: Well, I'd prefer to avoid--avoid confusion if you would take the chair when you're going to testify. To avoid confusion. Go ahead, where was we now with that.

MR. HARVEY: I'm finished. Thank you.

CHAIRMAN: Were you finished? Mr. Eliason.

MR. ELIASON: The previous witness, Mr. Guggenbickler--you heard that testimony? Do you agree with that all to give permits and exclude the paper holders, and that limitation be established by the people that die off or quit this business, and that all fisheries should be limited?

MR. BIRCHARD: That's a little closer to what I'd agree with, but

it doesn't quite cover the way I feel, no.

MR. ELIASON: Well, why--how do you feel then?

MR. BIRCHARD: Could you reiterate that again please.

MR. ELIASON: He proposed that all--everyone who had a permit now would receive one to fish in the future, and somehow or other we eliminate the paper holders. And then the way we get down to optimal levels would be for the people that either pass on or quit the business completely.

MR. BIRCHARD: Well, that seems bad to me also, because no new people can get into it and it'd be years before it got down to the optimum level that--that the harvest can sustain.

MR. ELIASON: Okay, who do we cut out then?

MR. BIRCHARD: Now, that's where the problem lies.

(Laughter)

MR. BIRCHARD: I wish I knew, but the way we're going about it, I agree for a commission but not with the power that it has, and not with the guidelines that they're going by. And I think Canada's got a lot of good ideas. They're trying to float programs and whatnot. I don't know. I don't know if we can apply their system to ours.

CHAIRMAN: It's Mr. Hubert and Mr. Tillion.

MR. HUBERT: Chris, generally speaking, I've noticed the general tone of your testimony seems to be critical, and I listened to Mr. Eliason's questions to you about cutting out the paper holders, and I note that you are a troller. Cutting out those paper holders and those non-fishermen that have got licenses and so forth, how much will this help your living in making the fishing better for you in trolling. How much more fish

will you catch when you get rid of those guys?

MR. BIRCHARD: Well, it depends on whether they get rid of me or not, because I might be subject to being exempt from the fishery.

MR. HUBERT: (Indisc.) and assuming that you're allowed to fish if these paper holders are taken out. Do you think that'll improve the resource?

MR. BIRCHARD: Sort of, yeah. I think limited entry by itself will help, but just not the way it's going in this bill.

MR. HUBERT: I was wondering how, in what manner, the one's that aren't fishing anyway, and not taking very many fish compared to you aren't taking very many fish, in what manner they will improve the resource. I can see that if you cut down some real high--some real high-take fishermen, and some real high-liners, and cut some of them out, I can see where's there's more left for the rest...

MR. BIRCHARD: But if they cut out a bunch of us trollers who don't catch that many fish anyway to make a living. See, our fish are higher priced, but as they cut back more of us I--I don't think that's going to improve the run at all. I mean, it won't--it won't even be negligible.

MR. HUBERT: One more question. I don't know, Chris, whether this is a fair question to you, or whether you can answer it. I can recall--I've (indisc.) Alaska 15 years but now associated with anything coastal until I came down here in the legislature. I can recall the abolishment of the fish traps which we all got busy and backed, and it seems the argument that I heard-- I know when my group when to help abolish the fish traps, (indisc.) I heard was that there were an awful lot more

fishermen could make their living in Alaska. It wasn't just a few canneries getting all the fish from the traps.

MR. BIRCHARD: Well, that's just mechanization.

MR. HUBERT: Alright, but now, you tell me what kind of fisherman we should engage in in salmon that would give the maximum number of fishermen work?

MR. BIRCHARD: Well, I'd make an awful lot of enemies doing that.

(Laughter)

MR. HUBERT: I just wanted to know. I recognize you...

MR. BIRCHARD: I mean, I don't want...

MR. HUBERT: ...gillnetters and the seiners and trollers...

MR. BIRCHARD: There's people who like the seiners and I don't want to push them out of business, but I was discouraged by the statistics here. I mean, it seemed unfair they were pushing an incredible amount of small men out of the business, where they were leaving in quite of the people who really take the large amount of salmon. The larger (indisc.).

CHAIRMAN: Mr. Tillion.

MR. TILLION: I think we've got--before I ask you anything, we've got some understanding of what these paper licenses are. There's two kinds. There's the kind where you can't transfer a gillnet license, so some of the big canneries to the westward have half their staff with a license, so that if a fisherman talks back to them they can just yank them off the boat and put another man on. They never really fish. It's just the power the cannery has over them, and then in the last two years with gear limitation being spoken of, you have people that have bought licenses hoping that it would be limited, a property

right would be established, and then they'll have a saleable product they only paid \$25 or \$30 for, that'll now be worth several thousand. So, what they're talking about is screening out these speculators, not the fishermen. But would you-- you're worried about the new entry under the proposal Tony made. Would you support one that made your license a property right and you had the privilege of selling it to the highest bidder?

MR. BIRCHARD: No, because that--it's just--yeah. I'm opposed to that.

MR. TILLION: I mean to anybody? Then you could have a new entry.

MR. BIRCHARD: I'm opposed to that, because just for that very reason that it goes up in value so much that, well, someone was saying earlier about the Indians in the outlying communities where they didn't make much money and someone's going to go in there in the middle of the winter when they were near starving to death and offer them \$10,000 for their license. Well, that's kicking that guy out of his business completely.

MR. TILLION: Isn't he kind of kicking himself out of the business?

MR. BIRCHARD: Well, he's forced to do it, because--well, not absolutely forced to, but he's hard up for money, you know, in the first place, and...

MR. TILLION: Well, I can understand...

MR. BIRCHARD: ...he wouldn't be if we had a good limited entry program that worked and everybody made money.

MR. TILLION: How do you get down to the level where they get--you either have to buy the licenses away from them or you have to just die by attrition. You've got these two routes to do it. And, which one would you prefer?

MR. BIRCHARD: Well, we're going to have to find some sort of guidelines as to be able to buy the licenses from them, but--but not buy them for resale, just buy them, and, you know, just cut them off right there. That's the end of that license.

MR. TILLION: I was saying, that closes off your new entry though.

MR. BIRCHARD: Well, there should be some sort of a attrition program that will work out eventually into the people that die off.

See, now, and those people will be able to get into the business.

(End of tape)

UNIDENTIFIED SPEAKER: Approximately what percentage of your income is derived from fishing--100 percent, 75 percent?

MR. BIRCHARD: 100 percent. That was my first season last year.

UNIDENTIFIED SPEAKER: Thank you.

CHAIRMAN: Then, Mr. (indisc.) and Mr. Gardner will be next.

UNIDENTIFIED SPEAKER: What you're saying is that you want to be able to make a living by fishing and not be forced out?

MR. BIRCHARD: Right. That's part of it, yes.

UNIDENTIFIED SPEAKER: And you don't--you want to make just enough to sustain your standard of living, and each individual has a different standard of living.

MR. BIRCHARD: Uh-huh. Well, right, right.

CHAIRMAN: Mr. Gardner.

MR. GARDNER: Yeah. There seems to be a pattern in the way everybody looks at this bill, and first of all, do you want the guidelines--everybody said that the guidelines in here are so vague they don't know where they stand, so would like to see the guidelines more specific so that you know where you stand under this bill?

MR. BIRCHARD: There's so many conflicting specifics that we can't

even get those together, so if we could do that we'd be doing it, I'm sure. I mean, if we could lay down these guidelines I'd like to have more specifics, but no one agrees on the specifics.

MR. GARDNER: I think you tried to get one (indisc.). Because, like (indisc.) everybody's been telling they want more specific guidelines, then the second thing it says, well, Joe Blow out here is a special case and that somehow we need to include him, which, you know, you've kind of got yourself boxed in. That if you're going to have these things so specific and include everybody, then what you've accomplished nothing. You can't limit it by--if you're going to limit it that way, and so, if you--everybody's been coming up with these same arguments, and if we go along with both of them we won't have (indisc.) to fish.

MR. BIRCHARD: Right.

UNIDENTIFIED SPEAKER: One short one, gentlemen, because we seem to be a little in the confused area now. Chris, if you had your way and you had the only copy of the bill there on the table, would you try to go ahead and try to improve it now, or would you take a coat with you and throw it away. Are you for or against it as it now stands? Are you in favor of it or what?

MR. BIRCHARD: As it now stands I'm against it, but I'm for limited entry. I think we need it, because there's just too many fishermen.

UNIDENTIFIED SPEAKER: Keep working on it then.

CHAIRMAN: If there are no more questions, I am going to call a break, but before we do have a break, I want to announce that

we will work on a committee substitute, and any of you that can't be here and want a copy of it mailed to them, if you'll just leave your name and address with my secretary, my legislative assistant.

UNIDENTIFIED SPEAKER: Are you going to come back here?

CHAIRMAN: Yes, we'll come back here. Ten minute break.

(Hearing resumes)

CHAIRMAN: The Resources Committee has to leave, but we will put everything on paper and get it transcribed later so that everyone will have the information. Does anyone else wish to testify? Would you step up and give us your name.

RONALD BELANGER: My name is Ronald Belanger.

UNIDENTIFIED SPEAKER: Ronald who?

CHAIRMAN: ...tell us who you represent.

MR. BELANGER: Belanger. B-e-l-a-n-g-e-r. I represent the Petersburg Fishermen's Union. Right on the front page (sp.)--you know, the only thing I heard so far around here has been, everybody's talking about their living. I'm talking about my living now. On this thing here, right on the front page you have, oh, what is it, the second paragraph, you have right here, the last word, salmon. I happen to be a halibut head. I fish halibut and that's all, in Southeast Alaska over here. It looks like we'd be cutting it off at mid-year--150, 200 gillnetters, and well, I'm not going to go by that page, but I heard about it that it shouldn't have been there, but you're going to cut off at the mouth again. Now these guys got boats. You know what they're going to do. It takes about a thousand dollars to put halibut gear on that boat--get some line, get some

anchors, and (indisc.) and hooks and you're all set. They're going to be all over this area over here. (Indisc.) salvage one industry, you're going to kill a hell of a lot of work. That is my first complaint. Second one, we are crew members. I represent strictly crew members, men that have worked on boats for years and years. I mean, even one of your members here in the House. He's been on a boat for I don't know, it must be fifty years isn't it? So, what if he wants to buy a boat next year. How--you know, you cutting us out, just about right off. (Indisc.) They're not too worried. They bitch if they all (indisc.). That doesn't bother them. That much (indisc.). How about me? I don't intend to be a crew member all my life. Now, maybe I'm--as a crew member, we're not rich you know. I don't have a rich father. I don't have one at all. So, how am I going to come up with this license? The price you guys are talking about--\$5,000, \$10,000. I don't even have a boat yet. So, you're just about putting me--you know, you're going to make an old fishermen out of me. I'll be 65 years old. That's my only future. I can't go nowhere else but there. So, you take that kid who's got about, you know, two, three, four years of experience, and again, if that happens to be (indisc.). I mean, he'll be there ahead of me and get his license. I just don't go for this license whatsoever. If somebody don't want it, it reverts back to the State. And if he doesn't fish it for two or three years without no good reason, it comes back to the State, so that way they can reissue it. The State can charge me the--stick a price to it, you know, to reissue it, but that's the one point I have--

two points that I have, and that's all.

CHAIRMAN: Any questions from members of Committee?

MR. BELANGER: I would like to salmon and halibut added to this year.

CHAIRMAN: You would like to see other species of fish added into it?

MR. BELANGER: That is my point, and we--I have another one that kind of looking at me, he says he's going to talk about it little (sp.), and shrimps and crabs, and all kinds of species. But to us here in Southeast Alaska, that's really going to hurt us. (Indisc.) These gillnetters will move on us just like (indisc.), so we (indisc.) industries in Southeast.

CHAIRMAN: I can understand your concern. That's something that I think that we will take into consideration when we remark up this bill. I intend to anyway.

MR. TILLION: Yeah. It should be all the fish, there's no doubt.

MR. BELANGER: Cause I didn't like one thing you said before, Clem. You said, in the future we will add.

MR. TILLION: Oh, no. No. No. No. I agree that it has to cover, because there's species that we're not even fishing now. Why let those get over-capitalized, when we can save them by limiting it now.

CHAIRMAN: Mr. Eliason.

MR. ELIASON: All fish except halibut?

MR. BELANGER: No, salmon and halibut and shrimps and crabs and...

MR. TILLION: We've got a problem with halibut...

MR. BELANGER: No...

MR. ELIASON: Don't misinterpret what he said. You don't mean halibut at the present time. Why should we limit our gear and the Canadians come and pick up 90 percent of the quota, and you're sitting there

wondering why.

MR. BELANGER: At the same time, what's going to happen to me with 300 boats on my--you know, on our gear?

MR. TILLION: Well, you're going to get them anyway. Dick can see it already.

MR. ELIASON: At 70 cents a pound it's going to bring in twice as many boats. I don't like it either.

MR. TILLION: You might (indisc.) We might end up limiting in-shore--no in-shore licenses. We can't--I agree, we can't license, you know, cut our off-shore fleets, but we might limit our back bay fleet.

MR. ELIASON: Well, you're not talking about many boats.

MR. TILLION: That's where the gillnetters will go.

MR. ELIASON: Unfortunately, the problem is tremendous.

MR. BELANGER: I heard that (indisc.) news last week. None enforceable.

CHAIRMAN: Do you have anything else? Any more questions? Does anyone else wish to testify?

UNIDENTIFIED SPEAKER: I have a rain check.

CHAIRMAN: Would you give us your name and who you represent.

WALTER JOHNSON: I'm Walter Johnson and I'm speaking for myself. Well, the one big point that I see is the Commission--the Commissioner--I mean, the Commission will be too small. It is too small as far as I can see. I can see some possibilities that would end up hurting the fishermen with the small commission that they have, and those three appointees by the Governor could be extended by three more, voted by the fishermen...

CHAIRMAN: Pardon me. This bill has a five-man commission.

MR. JOHNSON: Huh?

CHAIRMAN: This bill has a five-man commission--this 126.

MR. JOHNSON: Oh, this 126 is--reading the Governor's bill. Also, the word is circulating around about a board of inquiry made up of fishermen and lawyers. In case a person got his permit yanked, they could have someone to appeal to. I can see the possibilities of people--now I heard two people mention adding crab. This would hurt if they did add crab at this time. This would hurt Yakutat as a community, because at this time we are in the process of trying to acquire two boats--crab boats, and if they limit the gear license, that would mean that they would give the--there's nine boats fishing out in the Gulf, and they're all West Coast fishermen. These nine boats in Yakutat, according to figures that we got, put nine--three million pounds of crab, and that's little--and it's come a little bit over a million dollars. This--if we get this loan processed and we get the boats, and they add crab to this bill, we would have the boats, we would have the finances to pay back, and no way to get the finances paid back. So, that's about all I have for right now.

CHAIRMAN: Any questions? Well, thank you, Mr. Johnson. Does anyone else wish to testify? Give us your name and who you represent.

JERRY CONSTANTINE: My name's Jerry Constantine and I'm representing Alaska Aquatic Farming Co-op.

MR. TILLION: Where? At Pelican?

JERRY CONSTANTINE: Pelican and Linden Bay.

CHAIRMAN: What's the name of your organization?

MR. CONSTANTINE: Alaska Aquatic Farming Co-op, and its a conglomerate

of a number people and a number of (indisc.), I'd say. Well, last time I came up and testified before this committee-- committee at the time. Of course, I think it was about two years ago. And, I think at the time, the first thing that I said as far as limited entry, it was my belief that the probably the most effective thing we could do would be to limit the entry of outside fishermen coming in, and I guess I'm referring to people from the West Coast coming up, and since it has become pretty obvious that we can't do this without a constitutional question. So, I just want to go on record as saying a few things, and answering a few questions and then leaving. First of all, I'd have to take exception to Mr. Gardner's commission, or what he sees--pushing through the bill just to establish a commission, simply because, as far as I can see from reading over the--this paper here, there isn't any place that it says just exactly what the commission's going to do. And, I recognize the fact that some of these tables may be a little inaccurate, except for perhaps these tables that the Fish and Game's published. I just don't think that the--that the commission's the answer. Probably my strongest thing on this would be the--here is the fact that they say here that you're entitled to a hearing if your license--if you're denied a license, and my experience with hearings has always been that by the time they get around to hearing what you have to say, the fishing season is well over, and so you've missed the season. The next things that I'd like to propose that this committee investigate is the possibility of upgrading boats in some type of a loan program. Now, when we're talking about depleting the fisheries, particularly

in Southeast Alaska, I think we're talking about depleting the inside fishery, whereas we've got an outside fishery, and with all this talk about (indisc.) mile limit going on around now, I think that our outside fishery and outside waters has got a much greater potential than the inside waters do. And the next thing I'd like to propose is that this committee also investigate fish farming as a reasonable substitute to limited entry. I--unfortunately, I don't have any figures to give you as to what our findings have been on fish farming yet, since we're an infant organization, and just beginning to investigate this ourselves. But I do have these Fish and Game figures that state the number of licenses that have been issued from 1961 to '71, a ten-year period since then, and ever since statehood this limited entry idea has been kicked around and, because of that, every year it seems that there are a number of people who go and buy licenses simply because they're afraid if they don't buy them now they're not going to be able to buy one ever. I think by taking this into account, I'd kind of like to take a general look at this. Our commercial licenses from '61 to '71 jumped--the number jumped 4,867 in this ten-year period. Vessel licenses, 2,784. Drift net licenses, 1,757. Set net, 998. Purse seines, 141, and trolling licenses, 856. Now if we break this down we've got 486.7 licenses per year in this ten-year period of commercial licenses. Skipping vessel licenses down to drift nets, 175.7 per year, 99.8 per year set net licenses, 14.1 purse seine, and 85.6. Now these are totally inaccurate, I realize this, but if had a breakdown from year to year, I'm sure that these--that there'd be quite a fluctuation

here. But referring now to this Southeastern Alaska chart on page seven in this letter to Terry Miller from the Governor, it looks to me like there just really isn't that many more people fishing from 1968 to 1971. The fluctuation isn't that great, as compared to the total salmon catch. Now, 1968 I remember, was just a fantastic year for fishing, and I'm sure that everybody that was fishing then made a lot of money, but then it just started to drop off quite a bit. And, so, it just appears to me that the big problem we have here is not that there's too many fishermen, basically, but there just aren't enough fish. And, so, obviously the solution to this is to try to incorporate some type of aquatic farming of our fisheries resource, and I don't--somehow hatcheries just don't seem to do it. Now, Fish and Game--what I know of Fish and Game hatchery program so far and the plastic trays and however else they do it, the fry that they produce is usually is a pretty substandard fry, smaller than the ones are produced in the steams. What we're investigating right now is what Canada's doing, and that's dredging diversion channels using whatever means are available, and growing the fish right in their natural habitat, rather than in a plastic tray that has been proven to produce a substandard smole (sp.). And one last suggestion I have--I just don't know--I don't know if this would work or not, but if we've got to do a limited entry thing here, and if we've got to have a commission, well, I'm a little bit worried about the politics in the commission that might take place. In other words, because somebody on the commission doesn't like a guy that's applying for a license, the guy can't get a license. Perhaps we could divide up these

classes of licenses into a commercial and a subsistence commercial class license. Also, include the guy like from Elfin Cove that only wants to make \$4,000 during the year and live on his boat the rest of the year. I'll entertain any questions that anybody like to ask.

MR. CHAIRMAN: Mr. Eliason.

MR. ELIASON: Jerry, do you have a commercial gear license?

MR. CONSTANTINE: No, I don't at this time. I pick eggs and I fished salmon long line for a while this summer, but I...

MR. ELIASON: Fished salmon long line?

MR. CONSTANTINE: No, halibut long line.

MR. ELIASON: This has been your experience in fishing then?

MR. CONSTANTINE: Yeah, this has been my limit.

CHAIRMAN: Any more questions by member of committee? Well, thank you.

MR. CONSTANTINE: Thank you.

CHAIRMAN: Anyone else wish to testify?

MR. ELIASON: There's a (indisc.) fish farm bill in incidently.

MR. CONSTANTINE: Oh, well we're hoping that there'll be a lot more of them, too.

CHAIRMAN: Please state your name and who you represent.

BOB BISHOP: I'm Bob Bishop, Ketchikan.

CHAIRMAN: Bishop?

MR. BISHOP: Bishop, yes. I'm representing myself at this hearing.

I realize I'm not prepared to present any testimony at this hearing properly, and I'm scared to death, but I'll do the best I...

CHAIRMAN: (Indisc.)...testimony...(indisc.)

MR. BISHOP: I'll do the best I can, because I'm here on behalf of this limited entry, mainly. I represent the Southeast Alaska Gillnetters Association of Ketchikan at the UFA meetings. However, I want to make it clear that I can't speak at this time for my organization in Ketchikan or for the UFA. I like the governor's bill quite well. When we got a copy of the bill about two days before I left Ketchikan, and I haven't had too much of a chance to work on it here because we've been having meetings from almost early morning till late night every day since we've been here. I can up here with pretty severe reservations about the bill itself. I've listened to all the testimony of the governor's study group, and most of my fears have been allayed. Many voice a fear of a commission. I see nothing wrong with the commission or the makeup of the commission, and I feel that there's every need to have limited entry and a limited entry bill and it must be regulated. I feel that at both times a salaried commission can do a much better job of gathering information and putting it in its proper place in the various areas than any other possible means. The Department of Fish and Game probably could handle it, but they're probably not staffed for it, and would only represent one source of feeling. I'm a little concerned about the permits, the entry permits, the permanent ones, where they specify that more than one entry permit may be held by a person, and for different species and for different types of gear and more than one entry permit may be held for an additional administrative area. Most of this has been explained to me satisfactorily, however I see a possibility where, let's say the total number--maximum

number of allowable units of gear in the State of Alaska would be set at 5,000. There is a possibility that in time that total number of permits allowed should end up in the hands of one-third that many fishermen, which would exclude other people from making a reasonable living from the fishery, while a few got exceedingly wealthy from it. I see no reason why the fishery shouldn't support as many as possible, and if this situation here were that a few fishermen could hold a number of permits which would take the permits out of the availability of other fishermen, it would be good for the fishery and it would be good for the stocks, probably, but it would exclude quite a few fishermen from participating where they're making a reasonable living made by them. The bill is extremely non-specific, and that's where most everybody's worry seems to come in, however I feel that being non-specific it can the commission a better chance to study and make the regulations necessary to be as fair as possible and hurt as few as possible. There's only two areas I notice in it that are quite specific, and that is the salary of the commission and the penalties for a person if they violate this provision of this bill. I might say, also, that I am definitely for limited entry. I can speak that my group, who I represent, is definitely for limited entry, and generally in favor of the governor's bill. I think that's about all I can up with tonight.

CHAIRMAN: Any questions, Mr. Tillion?

MR. TILLION: Yes, we have one problem. I just wondered how you-- if you'd thought about it, of the real fulltime professional fisherman, who, on down cycle, for instance, of salmon, must

turn to some other type of fishing. You know, a man who-- everything he owns is invested in the vessel and is going to be fishing twelve months a year somewhere. Now, he just about has to hold permits, even for other areas if this area's down-cycle, or else he'd have to turn to some non-fishing income to feed him.

MR. BISHOP: The solution I've been able to come up with, this one problem of one fisherman holding more than one permit, is that if this fisherman holds more than one permit--say, a fisherman in Southeastern might qualify to hold three permits, one for seining, one for gillnetting and one for trolling, which is our major form of fishing. If he held three permits he would only be entitled to fish one type of gear at a time by the Board of Fish and Game regulations, so if you took the total number of permits that this fisherman held and divided them by one-third, so that he would classify as holding one-third unit a year for each type of permit he held. Then it would not exclude other fishermen from participating in the fishery as badly as if they were counted as three different units of gear, which would come out as a total allowed for that area--that specific area. Does that answer your question?

MR. TILLION: That's a little confusing with--you know, units of gear. Usually, you know, your gillnet season and your trolling season are slightly different, and therefore, he could very well be delivering above-average on all three and be counted as only a third. This...

MR. BISHOP: Well, he would probably--if he held three permits he

could only fish one at a time.

MR. TILLION: Do your seasons overlap is what I want to know. At home I hold a seining permit and a gillnetting permit, because the two seasons don't overlap. The seining begins at the end of gillnetting season.

MR. BISHOP: Yes. Of course, that happens in our district, too. The seasons overlap, and they also run at the same time. Quite a few of the fishermen change from one form of gear to another during the season when the best fishing seems to be in one fishery or another. Now, I think the commission would have the power to solve this problem and set the maximum units of gear allowable to allow--to apply to this sort of accounting system.

CHAIRMAN: Any more questions of Mr. Bishop? Well, thank you.

MR. BISHOP: Thank you.

CHAIRMAN: Does anyone else wish to testify? State your name and who you represent.

FRANKLIN R. PETERSON: I'm Franklin R. Peterson. I'm a gillnetter and I represent myself. I am a member of the Southeast Alaska Gillnet Federation. I'd like to go on record as saying that I do support a limited gear program, and I support a time factor in that the man has to spend so much time, and rather than an economic--there's so much money being made from some other source, and this is all I've come up here for is to get on record that this is what I support.

CHAIRMAN: Any questions, Mr. Tillion?

MR. TILLION: It was a little confusing. Do you say a time or percentage year?

MR. PETERSON: Time. I'm for time and not for the percentage income.

I'm for the time. If a man wants to go out and fish a hundred percent of the time and make a few thousand dollars on the side, I'm all for him, cause that's the way I do.

MR. TILLION: Yeah. I'm just wondering about on the down cycles.

Do you still want to require that a man fish every year, or would you stand for some leniency so that in bad years, with the bad predictions, that he could just do something else without losing his right to come back when the predictions are up.

MR. PETERSON: I think this is where the board could come in, and a person would have to apply for a permit if they want that forecast on something like this. I (indisc.) I'd like to ask one question. Is there--it seems to me that this is a very important bill to the fishermen, and to put ninety days on it to work all the details out seems awful short. Is there some way that licenses can be froze at this time, and then work on it. Maybe it's going to take a couple of years.

MR. TILLION: We can pass something that might serve to come close to freezing licenses, where an outright freeze would probably be unconstitutional. This is according to the Attorney General's office. We might have to freeze--pass something that says you don't issue over this number of licenses, but I agree, that this is a short time. Course, some of us have been working on it for years. Yeah, but if you leave it wide open for another year you're going to have a real problem.

MR. PETERSON: I know that. It's if the increase--there's so many more licenses, I guess, issued right now than there has been

and most of the fulltime fishermen haven't even went and got their license yet. So...

CHAIRMAN: Mr. Gotkin (sp).

MR. GOTKIN (sp.): Yeah, if the alternative to handling it fast, it seems to me that we would then have to approach this thing from a different angle, and we would have to simply do away with grandfather rights as any consideration for past entry. And, what would your reaction be to that?

MR. PETERSON: Well, past entry. If I hadn't got my license now, why I'd be out, and I've got all the investment. So, I don't know where the answer is.

CHAIRMAN: Any more questions?

UNIDENTIFIED SPEAKER: Any of the limit that we've been dealing with is mythical. It's just the mood of this session. There isn't anyone that knows how long this session is going to last.

MR. PETERSON: It has--well, after last year, I think the legislators got such a harrassment over going over that I think that they're going to be watching it pretty close, and I'd hate to take in to figure somebody'd make an irrational--you know, real quick decision on what I'm going to be living on.

CHAIRMAN: Mr. (indisc.).

UNIDENTIFIED SPEAKER: Yeah. There's many of us that can consider problems in facing the problems as they come up, and although there's pressure to have a very short session, I think most legislators will take a look at the problem areas and be responsible to the people they represent. So if you have a great concern for this particular bill and it comes down to a crunch on whether it's going to be a short session or a long

session, you ought to talk to your representative in your area and let them know your feelings about it. You know, there's no statutory limit to the end of the session, that's correct. It's just the mental problem of some people.

MR. TILLION: Oh, yes, but Chuck, you're both dreaming if you think this legislature's going to sit here. When that budget comes down, they're going to adjourn. The point is, it's going to adjourn out from under us.

CHAIRMAN: Chuck?

CHUCK: Mr. Chairman, we've spoken so much about this 90-day that now the witnesses are starting to refer to it as the 90-day limit. Well, in fact, there are no magic--ninety is the magic number, like 89 or 91.

CHAIRMAN: When I first come up here, 60 was the magic number.

Mr. Hubert and Naughton (sp.) and then Eliason.

MR. HUBERT: I can understand the concern there, but there's not a 90-day limit, or something like that, but, you know, Speaker Fink says this ought to be a 75-day session. He happens to be one of the leaders now, and I would expect that this bill-- we're really going to have to work on it fast and time is of the essence, but I can expect the fishermen will be the next group following Mr. Atwood of Anchorage, to ask for a session over 90 days. I don't think Mr. fisher would ask for a long session even if it was for their bill, because they haven't felt that way in the past. We'd better try to get them (indisc.) and get this thing put together.

MR. TILLION: I don't intend to miss another halibut season.

(Laughter)

CHAIRMAN: Mr. Hugow (sp.).

MR. HUGOW (sp.): While we're talking about this idea of getting this bill out this Spring, I'd like to throw the idea out in front of UFA, that if this thing isn't knocked into shape by the end of 90 days, the pressure should be put on the Governor to call the Legislature back in for a special session just to deal with this one specific bill, and you might start laying the ground work for that at home.

CHAIRMAN: Another thing with passing it at the first session, it gives the same body of legislators a chance to hear the comments and find out what's going to happen, amend it something, whatever has to be done the next year. You wait till next year and, you know, in the Resource Committee you're apt to have like we had last year, Fairbanks--or Anchorage lawyers on it, and then you don't have a hell of a lot of chance.

MR. TILLION: You only said that (indisc.).

CHAIRMAN: Mr. Eliason.

MR. ELIASON: Oh, I was just commenting on this 90-day. I don't think--the legislature didn't exactly say that, I think the people said it here about two months ago, and I think we'd better listen.

CHAIRMAN: Mr. Barker.

MR. BARKER: Well, one thing everybody is talking about--you'll notice in the bill it does say that there--everybody says it's going to take two years to figure out, or whatever time to figure out what the optimum level is, well, you notice in the bill it does say, the established interim entry permits to start with, so I wish everybody...

MR. TILLION: Well, I'd rather see them give the entry permits at established interim optimum levels so they could adjust that. I think the average fisherman is afraid--well, the testimony I've heard, you know, the one who liked the bill just as is, the rest of them were all afraid of that commission screening them out. And, I think Guggenbickler's testimony was probably the most widely held position, even though it's different than yours you'd probably say that was the most widely held position that UFA, and that was to be a little lenient, to let little people--you know, let a little more in it necessary to make sure you didn't screen the wrong man out and then if you want that license you either wait for attrition if there isn't a constitutional barrier, or buy it out if there is. And, I think that's--you know, that's what I gathered in three days of sitting down there, and I don't--they're thinning out so fast here.

CHAIRMAN: Any more questions of this witness? Give your name and who you represent.

CLANCY HINKINS: My name's Clancy Hinkins and at the present time I'm just going to talk for myself. I wouldn't--I didn't even come here with the intention of speaking, but the point was brought up and I would like to...

CHAIRMAN: Now you don't need to say you didn't come here (indisc.).

MR. HINKINS: I fish for a living and have for quite a number of years and I fish at quite a number of different things, such as shrimp, crab, herring, halibut once in a while and I troll and gillnet besides, so what you're doing is if you put all this into a--everything--all types of fish in this, you're just

going to force me to put in for all types of permits, even though economically maybe some years I don't do some of them. I just wanted to make the point. I think Clem understands what I'm getting at. So, I would be forced under this kind of conditions to ask for more than three, four, maybe five permits at the most just to cover all the things that I do have gear and have (indisc.) in the past. That was the point I wanted to make was all.

CHAIRMAN: Mr. Eliason.

MR. ELIASON: You do agree with the concept, though, of limitation of some type?

MR. HINKINS: My organization does, yes. I'll speak for them at that point.

MR. TILLION: No, I think we fully understand that. You don't want to force a man to go on a carpentry job just because you took one of his licenses away, and if it's a down season or something.

UNIDENTIFIED SPEAKER: (Indisc.)

MR. TILLION: Me, I always need a good carpenter, I'm such a lousy one.

CHAIRMAN: Anyone else who wishes to testify?

MIKE ROSE My name is Mike Rose, and I'm a member of the Southeastern...

CHAIRMAN: We don't want to be confused with Mike Rose because this is a different one.

MR. ROSE: No relation. Mike Rose and I represent the Southeastern Trollers' Association.

MR. TILLION: Couldn't you just change it.

(Laughter)

MR. ROSE: The only thing I can say for or see on this. I have one

point that was brought that was brought out to me repeatedly, and that is, if we have limited entry we want some kind of a guaranteed rehabilitation program tied into it.

MR. TILLION: You can't (indisc.) two separate subjects.

UNIDENTIFIED SPEAKER: Salmon or fishermen?

MR. ROSE: Beg your pardon?

(Laughter)

MR. ROSE: Salmon.

CHAIRMAN: We have better than your aspiration of rehabilitation as fast (indisc.) This committee has, but (indisc.).

MR. ROSE: Now, personally, I want to see some type of limited entry. I've been listening ever since we've been meeting here to all different ideas, and I don't know exactly--can't make any definite recommendations, but I do feel this way. I want to see the professional fisherman be the one that remains, and we've argued and argued and argued in the UFA and we can't come to any definite definition of economic dependence on (indisc.) fishery.

UNIDENTIFIED SPEAKER: What do you define as professional? How do you define professional?

MR. ROSE: This is my idea of a professional. It is a man that fishes the whole season, starts the opening day of the season and he's still fishing at the end of season.

UNIDENTIFIED SPEAKER: Okay, go all the way to Brazil? I know there's different fisheries from--all the way from salmon all the way to tuna and all that.

MR. ROSE: Salmon fishermen. I'll qualify that if you want.

UNIDENTIFIED SPEAKER: No, I mean. I'm having difficulty with your

my right to be able to go fishing, and I don't want to be kicked out. And that's about all I have.

CHAIRMAN: Any more questions? Mr. Naughton (sp).

MR. NAUGHTON (sp): Well, if we accept the concept of professional fisherman as you had said, then you'd have no real worry about being kicked out.

MR. ROSE: I don't feel that I would, that's right.

MR. NAUGHTON (sp): Given that we're trying to take out some of the school teachers and State employees who are sports commercial, but they fish every night, and they land a few fish every day. Wouldn't we run into problems trying to weed them out with that definition?

MR. ROSE: Yes, I--we very definitely would, but there again, if we did have a commission, why, I believe they could establish definite guidelines that we could go on.

MR. NAUGHTON (sp): Are you saying that you don't want two--one guy being in two professions, being a professional fisherman.

MR. ROSE: I can't say that because I am. I do. I have outside investments, and I would actually be classified as being in two professions at once. So I feel that we'll have to put some kind of a--how much time a guy spends working at the fishery. Some kind of a clause in there. I don't know what it would be.

MR. TILLION: Yeah, this is a roughy, because where I come from a professional fisherman is a man who starts on January 1 and quits on December 31st. And he might fish different species every year for a number of years, whatever happens to be the best market. But he is a professional fisherman. It's his only

definition of professional fisherman. Do you get on a boat and do you go from one type of fishery to another, and finally end up off the shore--coastline of Chili and stuff like that?

MR. ROSE: A Southeastern professional fisherman would fish the total salmon season.

MR. TILLION: What he's saying is total by species, I think, Chuck. That a professional salmon fisherman fishes it from the beginning to the end. This is a little confusing, because you have a lot of professional fishermen that would take a look at the price of crab and the fact that you aren't expecting a big run, and he's still a professional fisherman--he'd fish crab that year.

MR. ROSE: Yes, that's right.

MR. TILLION: And you can't penalize him.

MR. ROSE: But he puts in as much of the season as he possibly can in his area. I realize that we have guys that troll and at the end of the trolling season they go tuna fishing or they switch over. Personally, this year I fished halibut half the season and I fished black cod late into the season.

UNIDENTIFIED SPEAKER: So your definition of professional fisherman, if he'd fish within his own area for the maximum amount of time, he could?

MR. TILLION: That would cover you, Chuck.

UNIDENTIFIED SPEAKER: I just wanted to know what his definition...

MR. ROSE: My worry on this dependence upon a fishery, and this is my own case. I do fish the whole season. I put in as much time as I can and on my other investments, I make more money than I do fishing. At the same time, I feel like that's--that's

way of life. And there is always the worry that you would say, well he has to fish three years in a row. We have seven bad predictions for Bristol Bay. That man wouldn't think of going to Bristol Bay until probably seven years from now. Do you wish to take that right away from him, you know. And this is some of the problems that we face.

MR. ROSE: Yes, that's right. There's definitely problems, but at the same time we have to use something of this nature as a guideline because we can't have a guy--poor old schoolteacher keeps catching it in the neck...

(End of one side of tape)

CHAIRMAN: (Indisc.) who do you represent?

UNIDENTIFIED SPEAKER: I'm going to repeat Mike. I'm with SETA but I'll speak for myself. But, somehow I hope that fish and fish rehabilitation come hand in hand. I'll stand on that.

UNIDENTIFIED SPEAKER II: Did Mr. Tillion take off?

CHAIRMAN: Oh, he'll be back. He takes a...

UNIDENTIFIED SPEAKER II: Good, I can say...

CHAIRMAN: (Indisc.) ten, twelve years up here, he's still here.

UNIDENTIFIED SPEAKER I: Possibly I'm wrong on this professionalism, but I think I can be established merely by fish tickets. You could--a man could show his fish tickets, and if he was crab fishing or shrimp fishing or, I don't know, somebody smarter than I would have to figure it out. But, if he was fishing tuna off of California or--I don't know if that would figure in or not, but somehow or another I hoped that the--this bill can establish professionalism. I think that's important. I haven't got all the answers. I'll answer any that I can, or try to.

**CHAIRMAN:** Mr. Hubert.

**MR. HUBERT:** Mr. Chairman, I was highly concerned that basically what we've--though we may say it's unconstitutional, what we hoped to do with limited entry was to discourage outside fishermen from fishing in Alaska. We'd like to save Alaska for Alaskans, for Alaskan fishermen. We'd like to, but we can't say it. And, I worry an awful lot--in fact, I care nothing, personally, for the professional fisherman who fishes tuna and fishes off San Diego and fishes out of Seattle, and then he fishes Alaska, too. I'd like some way to keep him home. I know they can't do it constitutionally, but one reason that the people in my area are not very interested, and I say this to every fisherman in this room, are not very interested in spending State money to rehabilitate the fishery, and I'm not saying what I think, but what they think. They say, well, we hear in the paper every day that the Japanese take all the fish, and the fisherman comes from the states and gets all the fish, and we don't like to spend our money to rehabilitate a fishery for outside interests. And, the hardest thing to talk to them--get them to say--to realize that the fish is still one of the greatest resources in Alaska. It's just exactly that. I think a professional man, if he isn't an Alaskan, I'd like to find a way to let him stay home, but I know I can't do it.

**UNIDENTIFIED SPEAKER 1:** The way it's been explained to me, is that you're right. We can't discriminate against down south--not that I'm for them, don't get that idea, but I don't know what you can do about it.

MR. HUBERT: If I may. Just one moment, if I may. I'm also told that, well, now look, Mr. Hubert, an awful lot of our good Alaskans are the best highlighter fishermen, have moved to Seattle. And they go out there for the winter, they vote in Seattle, they live in Seattle, they pay their taxes in Seattle, but they were old time Alaskans. And again, my heart doesn't bleed. The minute the man moves to Seattle and decides he wants to be a voting resident in Seattle, and left Alaska, I don't care if he was a 50-year-old or a 50-year resident from here, my heart doesn't bleed for him anymore when he decides that the pastures were better there and he just wants to come back and skim the creek.

UNIDENTIFIED SPEAKER I: I think the statistics--I wish I could just (indisc.) to you, but the percentage of resident fishermen has been raising. I don't know that's an answer, but that--the trend has been the other way around. The trend, that is.

MR. HUBERT: Thank you.

CHAIRMAN: Mr. Guy (sp).

MR. GUY (sp): Mr. Chairman, a question that you've been talking of of fish tickets. You seem to have a some idea in this area. Could you elaborate on it?

UNIDENTIFIED SPEAKER I: I don't understand the question. I mean, as far as proof of participation?

MR. GUY (sp): Whatever you were getting at. I didn't quite...

UNIDENTIFIED SPEAKER I: Well, every time a man sells he get a fish ticket. The date, the amount and the type of fish and the whole works. A fish ticket. And I think that could be used as proof of participation. Is that...

CHAIRMAN: Mr. Eliason.

MR. ELIASON: Victor, you never say anything about this commission.

Do you share the same concern that others do in regards to the power of this commission, and would you like more guidelines on what they can do and what they can't do?

UNIDENTIFIED SPEAKER I: Definitely. I--did I say I'm for limited entry, personally? Well, I'd rather see the governor's bill go through like it is than not at all, but I'd rather see this improved. And I think it can be.

CHAIRMAN: Anyone else? Is that all you have? Mr. Naughton (sp).

MR. NAUGHTON (sp): On the commission--I don't know whether anybody else sees it this way, but when I look at the commission I see a chance for us to be pretty arbitrary in cutting out the outside fishermen--the stateside fishermen, and if we don't let the commission have a--you know, quite a wide scope, an awful lot of authority, we're going to defeat ourselves in that area, and when you get down to guidelines for that commission I would hate for us to lock them in so tight that they can't get arbitrary. See, if all we do is limit the number of people fishing and we don't weed out that outside penetration that we have I would consider this bill a favor.

UNIDENTIFIED SPEAKER I: How do you answer that?

MR. NAUGHTON (sp): Well, what I'm saying, I think, is that that commission is going to have to have a lot of arbitrary authority, and (indisc.)

(Simultaneous speech)

CHAIRMAN: Any more questions?

MR. HUBERT: Ted brought one up there that I just might try it. It

is kind of a question to this witness. In your fishing experience, let's say that we have this little bit of arbitrary power on the part of the commission and they cut out--in cutting this down they decide to cut out some very big stateside interests, good big boats and good equipment. From knowing and associating with some of these type of fishermen and stuff, what do you think would happen? Do you think they would be successful right away or do you think they would have some means of hollering foul and getting a court decision, getting a court staying order that will allow all these guys to be here anyway. What is your feeling on it.

UNIDENTIFIED SPEAKER I: Well, I don't know if this is going to answer what you say. Possibly. But, I'm thinking of a different aspect--the same thing. But, for instance, myself, last winter. I crab fished all winter long. I crewed on boat. I'm a vessel owner and a fisherman, but I consider myself to be a professional fisherman and 100 percent of my money comes from fishing. Okay, and our season closes theoretically in September. I fished right up until September, then after that I went into a different type of fishery. It was--I didn't make a nickel at it. I was bottom fishing. It was experimental, but I was fishing, and I had a couple of fish tickets. In the--I went crab fishing in December working on a boat. Okay, I'm going to go fishing just as soon as I get out of this mess.

(Laughter)

UNIDENTIFIED SPEAKER I: Okay. I hadn't even thought of it before, but speaking of the stateside fisherman, I can only speak for one group, and that's trollers. And, the average troller leaves

Seattle April 1st, 10th, 15th. The--there's a lot of guys, I'm not--a lot of the gillnetters in that fisheries, and they don't even have this. Well, they do, too. I know a lot of net fishermen--I'm speaking of Hoonah guys and stuff like that, that in the winter time they've got a skiff and they go out and sport fish. These are professional fishermen, and when the--myself, I'm at it off and on the year round, one way and another. Well, I think--well, back to what I was going to say. The Seattle fisherman leaves April 1st, 10th, 15th. He catches his first fish in May 1st. He's afraid of the equinox storms around September. Fishing's slow in the Fall. He goes down the first of September. Well, he--I think that using that as a criteria would have a tendency to destroy the out-of-state fisheries. I don't know. There'd have to be somebody smarter than I make a study or something on it. I don't know. Did that--is that a good enough answer?

MR. HUBERT: I think so. I get some of--more of the feeling about it.

MR. ELIASON: Something I'd like to clear up. When comes to fisheries, Dexter, there's nobody smarter than a fisherman.

(Laughter)

MR. HUBERT: Well, Mr. Chairman.

CHAIRMAN: Yes.

MR. HUBERT: What they don't know is that I'm a fulltime fisherman, too, only I'm amateur, not professional.

(Laughter)

CHAIRMAN: Any more questions? Well, thank you. Anyone else wish to--yeah, would you step forward and give your name and who you represent.

JOHN PASQUAN: I am John Pasquan and a gillnetter.

CHAIRMAN: Pasquan?

MR. PASQUAN: Yeah. P-a-s-q-u-a-n. I wish to say I'm against the governor's bill as is. I don't think it's necessary. I don't think we--the voters voted to reduce the fishing fleet. I think they voted for limited entry. I did. I don't like the commission. I think the money could be better spent in rehabilitation, and I think the fishing industry's going to be in an uproar for the next four or five years, until this is settled. And, I think there will be a court case, but we don't know, but I suppose there will be. I don't believe we should try to freeze out the outside fishermen, I think we should have them come back to Alaska. There are a lot of investments there, considerable investments, too, and effort. And, I do not like the arbitrary power to the commission to--at their whim, you might say, to tell anyone he should go fishing at any time in the future. I don't think I have any more. This (indisc.) been elaborated on.

CHAIRMAN: Mr. Eliason and then Mr. Gardner.

MR. ELIASON: Mr. Pasquan, this is an interesting development. You're not at all interested in keeping outside fishermen out if there--if you could legally do it?

MR. PASQUAN: I have a lot of friends in the outside fishery, and I understand their position. I'd rather see them be Alaskans and compete like--even to the rest of us. My argument against the outside fishermen is their--they've got a built-in edge. They--their costs are 25 percent less. Probably the maintenance on the boat is down more than that. We're just not competing evenly. This bill, as I see it, is going to force the Alaskans

to leave Alaska for the simple reason that even in the next two years we--I don't see how a fisherman can dare compete by going out and getting another job. He can't--we're in competition with each other. We're on a priority list, and if it's a poor season we don't have anything prophesies of gloom and doom in this area, and if we don't make it can I afford to go out and work and make another income and more income, and the next man sits tight? He's got to be at an advantage.

MR. ELIASON: Well, we're you saying you want these southside fishermen to come to Alaska and fish and stay here? Is that what you meant?

MR. PASQUAN: Yes, definitely. I'd rather--I'd like to see them winterly residents.

MR. ELIASON: Well, I don't disagree with that concept at all.

MR. PASQUAN: Speaking of--I have one more question. We say that we are getting more and more residents every year and I think it's possible we are getting more resident licenses, not necessarily residents. I think that the--that a resident is more or less a wintering resident, but our residency laws are quite lax.

CHAIRMAN: Mr. Gardner's next.

MR. GARDNER: Yeah, you said that you were for limited entry, but not for cutting anybody out. You mean just for some type of attrition policy?

MR. PASQUAN: Yes, I--I think I can see some methods of reducing the fisheries to optional methods. I don't see why we have to take half of the fishermen or a quarter or any amount for any reason and just throw them out of the fishery. I--in Juneau we have a large commercial sport fishing fleet, that's what they call

it and many of them are my friends. It's a way of life with them. I don't see why this way of life should be thrown out. They take so few fish it makes no difference as far as I'm concerned.

MR. GARDNER: You're talking about Southeast now. Do you think what is happening in Southeast and more or less what you're saying would be the proposed solution for it is comparable to what the Bristol Bay problem is there?

MR. PASQUAN: I have difficulty with Bristol Bay because we're trying to make a living for people in a three-week fishery, and three or four weeks--I just don't see where that applies to the rest of the State. One man talks about year around, the other man six months. In general, some years you can't get out of Juneau with a small boat. It's very difficult, and I don't see where the problems are applicable in the State's--I understand the problem in Bristol Bay, but I don't see how we can settle everything the same on the same bill.

MR. GARDNER: That why I guess I understood the theory of the commission was that they would treat each area separately, you know, each administrative area. Southeast--the solution for Southeast wouldn't necessarily be the same as Bristol Bay, and so I understood that was the reason for having the commission so that they could be solved separately, but I--it seems that now you're saying that you would rather see one standard for the whole State, and I don't see how that can solve the problem in Bristol Bay and at the same time solve the problem here.

MR. PASQUAN: I do not see where it is equitable to throw a participating fisherman, with a substantial investment, out of the fishery. I don't know what the Bristol Bay problems are, but I understand

they're most just fishermen, they're not boat owners or operators. I don't even know if they own their own gear. There's not much of an investment there, and there may be some method to handle that.

CHAIRMAN: Well, most of the Bristol Bay fishermen do own their own boats. Their investment's roughly, you know, the peak investment's probably twenty, twenty-five thousand. It's not as many as it was (indisc.).

MR. PASQUAN: Is this non-resident also?

CHAIRMAN: Yes. Mr. Hubert.

MR. HUBERT: I wanted to take one particular part of your testimony (indisc.). You weren't against the outside fisherman. It bothered me a little. How do you feel about them not paying taxes in Alaska?

MR. PASQUAN: Well, I resent it greatly. I'd rather see them Alaskan residents. Of course, I believe they pay their State income tax. I'm sure the better fishermen do.

MR. HUBERT: They don't pay ours. They get a court case that keeps them from being--from having to. They don't have to pay out-of-state income tax. That's what I was talking about. They won a court case.

CHAIRMAN: Yeah, that's the ones that don't land in Alaska, the ones that (indisc.) shore.

MR. PASQUAN: I understood they all paid income tax on income earned here.

CHAIRMAN: Are you done, Joe? Mr. Parker.

MR. PARKER: Mr. Chairman. Mr. Pasquan, do you think the Southeast fishery is in danger from overfishing?

MR. PASQUAN: With unlimited entry, yes. In the present situation, no. I believe that the management can still handle the problems. We speak of a few hours, or we've been spoken of a few hours either way could destroy a fishery, and I don't see that at all.

MR. PARKER: What do you think of the idea of--of having a fisherman being able to fish every day of the season?

MR. PASQUAN: Given a viable industry, I'd say fine.

MR. PARKER: Whereby given the present Southeast fishery.

MR. PASQUAN: And this is a criteria of staying in the fishery.

MR. PARKER: I'm wondering, do you think that would be an ideal for the fishery in Southeast? That a fisherman should be able to fish every day.

MR. PASQUAN: Oh, you mean every day of the week?

MR. PARKER: Every day of the fishing season.

MR. PASQUAN: Well, the gillnet season--the gillnet fishery is right now--I mean, speaking of, it'd be impossible. We fish three days, that's 72 hours, we fish 72 hours, the successful fisherman. There's no other way. He couldn't do that for six, seven days. I don't know what would happen, but surely something would happen. Of course, they'd have to put some of them--but there'd be a few of the tougher ones fishing seven days. It'd be quite difficult.

MR. PARKER: So, as it all adds up to you, the present situation is working out to be what? The fishery's not in great danger, fish three days and have as many fishermen as there were last year, say, and again you think that's a good way to handle the fish resource in Southeast?

MR. PASQUAN: No, I think it would be advisable to institute some

kind of reduction in the fishery, but not a forced reduction.

I think it should be optional. To normal attrition, I think the problem is legality. I think that with unlimited entry the fisheries will definitely be endangered. Of course, we have management and maybe we're going down--maybe we're fishing 200 fathoms now, maybe we'd get down to 50 fathoms of net. This wouldn't endanger the fishery as such. Maybe the gillnetter or the fisherman, yes. I don't think it's advisable at all.

CHAIRMAN: Mr. Naughton.

MR. NAUGHTON: How much have you invested in fishing? What was your capital investment?

MR. PASQUAN: I would say roughly \$30,000, maybe more.

MR. NAUGHTON: Uh-huh. Have you ever appeared before the Fish and Game Board or the advisory board for the Fish and Game...

MR. PASQUAN: Oh, yes.

MR. NAUGHTON: ...and testified?

MR. PASQUAN: Yes.

MR. NAUGHTON: Have you ever testified asking them to reduce the time period that you could fish?

MR. PASQUAN: No.

MR. NAUGHTON: Have you ever asked them to expand the time period that you could fish?

MR. PASQUAN: Yes.

MR. NAUGHTON: Well, see, that's the problem, is that you're faced with that \$30,000 investment, and so you're putting pressure on the management board to increase the pressure on the resource.

MR. PASQUAN: I will qualify that statement, please. I did not ask for more time. I don't believe I have asked for more time. I

have asked for more area. I believe the gillnetter is discriminated against, and...

MR. NAUGHTON: You know, I'll just make my question a little bit broader and ask, have you ever asked for anything that would increase the pressure on the resource, so that you can meet your payments and make your living?

MR. PASQUAN: I do not think I did. I asked for a little more share of the resource.

(Laughter)

MR. NAUGHTON: But you see, I took that to mean that you asked for-- because if it's good for you, then everybody else has to have the same larger slice of the resource which puts the pressure on the resource. Do you follow?

MR. PASQUAN: Yes, but I was going to take it away from the purse seiner.

(Laughter)

MR. PASQUAN: I understand what you're driving at, but this is...

MR. NAUGHTON: But you can see what I'm getting at, though. That if we don't find some way to limit the amount of capital that the fishermen have, and when I say fishermen it's plural, it's the total capitalization of the fishing fleet, which of course, generates the pressure for more exploitation of the resource in order to meet the payments and the living standards, or the income you need for your living standard and such. And given that, are you still opposed to the concept of limited entry?

MR. PASQUAN: I haven't been--I regret it. I think that limited entry isn't--it isn't fair. We know that, but I think it is necessary. I--when I speak of limited entry, this is people--there's not

unrestricted entry to the fishermen. I mean, there will be no more entry as such, or increased entry. I am against reduction in the fishing effort, or in fishing. Let's put it this way, participating fishermen, that is. And I think it should be reduced. It would be advisable to reduce it with some more equitable method, such as the fishing, maybe a buy back. I don't know. I'm a little afraid of buy back.

MR. NAUGHTON: Well, then what--what I read you saying then is that you would in essence simply freeze the number of licenses we have out right now at approximately the level they are. You're saying that we should freeze the number of licenses we have. No more licenses would be issued. They would be issued to the same people or different people, but no greater number than we have today.

MR. PASQUAN: Definitely it would be a stipulation that the only--those participating fishermen or with substantial investments, would be allowed an entry permit as of December 31st of '72. I see no hardship on a man that held a license and not used it, unless he has--I know there's people that have invested in boats and gear in the last five months or so and I can see where they've got a problem. I think attrition would take care of this problem. It may take a while, granted it will take time. We don't know why--maybe ten years we'd get an adequate level of fishing effort. I--I do not like the idea of transferring licenses or selling them. I just think you're prolonging a problem, unless you throw all the fishermen out, or half of them. And as far as one man holding a permit and another man not being allowed to, maybe it's the same justification--maybe one man holding two--I don't understand that at all.

MR. NAUGHTON: Well, he'd be holding two permits, but only one for a particular type of gear on a particular species of fish.

MR. PASQUAN: I'm pretty dumb, but I think you get that out of the bill. I...

MR. NAUGHTON: Oh, well, this isn't written into the bill yet. This is--was in the concepts. We haven't written in.

MR. PASQUAN: Well, our organization has been through this, and, of course, everyone hopes that it will be amended, or it seemed to be, and--but all we can judge on now is what is in the bill as it is, that I can see.

MR. NAUGHTON: When reduced down to about as far as I can get it, then your message to us is that this bill is going to have to be amended before it would be acceptable to you?

MR. PASQUAN: Definitely. Greatly amended.

CHAIRMAN: Mr. Dayton.

MR. DAYTON: In past years they eliminated an efficient way of getting fish, and that was the fish traps, from what I understand. And would you favor that type of limited entry where you throw out some specific type of gear in order to save the fish?

MR. PASQUAN: You want an opinion? I feel the purse seine fishery is doing this (indisc.) Alaska as it is now. They're at low level to gain. They have huge investments. Unless the fishery-- unless the purse seine fishery is changed, I think this is going to come about. I--they're taking 80 percent of the fish. Their probably their percentage of profit is the lowest. Right now it's just talking--I don't have the figures. I haven't figured it out. I assume it is, and I think that this is going to force them out of the fishery unless there's a major

such as this--stopping everyone else from fishing and allowing the seiner to continue at reasonable--at this level. Of course, this--I understand these figures are arbitrary, but we have these figures pointing at maybe twenty seiners or so eliminated as against 150 to 200 gillnetters. They take 80 percent of the fish.

CHAIRMAN: Are you done Mr. Dayton?

MR. HUBERT: Can somebody tell me, give me the present (indisc.) I've been wondering about this, because I've heard the argument for year. As a matter of curiosity. You mentioned the ratio between the gillnetters and the seiners in relation to the number of fish they take. Could that also be expanded by somebody who's coerced by some idea about...

UNIDENTIFIED SPEAKER: I think that to get into the controversy between gillnetters and seiners wouldn't serve any purpose. I'll explain it to you in the (indisc.) one of these days. I'll tell you all about it.

MR. HUBERT: I've spent two years here listening to the under currents and the over currents, too, of the gillnetters the setnetters, the seiners, the trollers, but I wonder if anyone knows actually--and I'm not trying to start a controversy--what the ratio is, and the amount of fish they take. I want a ratio of the other.

CHAIRMAN: There's some of these people here might get, but I can't right off the top. Can you give that to Jim? Yeah, well...

UNIDENTIFIED: ...roughly 80 percent or so of these 15 seiners and gillnetters, and some years go up 12 percent, some years 6 percent, and somewhere along the line it was 6 percent. I don't know, they've probably got it written down there. I mean... You got it?

UNIDENTIFIED SPEAKER: Rich, do you have any of those figures with you?

CHAIRMAN: Yes, for Southeast (indisc.) right now. (Indisc.)

RICH: In 1971, Southeast Alaska (indisc.) 81 percent of the catch, drift net, gillnet 12 percent, the troll fleet (indisc.) six percent.

CHAIRMAN: Any more questions from members of the Committee? Some of the committee members had to leave. We are putting everything on tape. They have other commitments and everything else. Go ahead, John.

MR. PASQUAN: Can I make one more statement? I wouldn't want to be in the position of favoring the abolition of seining or anything like that. I just--I pointed out an opinion I have.

CHAIRMAN: I understand. Any more questions? Thank you.

MR. PASQUAN: Thank you.

CHAIRMAN: Would you step up and give us your name and who you represent.

LEONARD LEESE: Leonard Leese, Ketchikan. I'm representing myself.

I heard this point about professional fishermen, or professionalism, to be brought into this. And, I want to make just primarily a point on this. I am in favor of gear--or not gear limitation, but limited entry. Primarily, I'm talking about Southeast Alaska, now, and the gillnet fishery. There they have a fishing season that starts approximately, say, June 18th and it's runs through primarily October. We have fishing weeks that will start on a Sunday opening and run four days a week. And, so, these part-time fishermen that you're hearing so much about, what happens, is these guys--there'll maybe be a peak of the season. They will just hit the peak of the season. Maybe that's two weeks of the

season, where the professional guys that are deriving their income out of the fishery, primarily will be there the full season. The second point I'd like to make is, on the first day of the fishery, 50 percent of our fish are caught. And so this more or less shows you that we have too many boats if we catch 50 percent of the fish during a period on the first day. These part-timers, that aren't necessarily dependent on the fishery, they don't have to come up with their living off of the fishery because they have--they're school teacher or whatever they happen to be. They'll come and fish just the first day, and after the first day where they've caught 50 percent of the catchable fish, they'll go home the rest of the week. And, you know, do whatever else they want to do. And, actually, the guy who is fishing and making his living off--his entire living off this or even--it may not be his entire living, but he is making the primary part of living off this, will have to stay there the rest of the week to fish. And that was the main point I wanted to make.

CHAIRMAN: Any questions from members of the Committee?

UNIDENTIFIED SPEAKER: Mr. Chairman. Basically, then you're saying that possibly these people should be eliminated from the fishery?

MR. LEESE: Well, I, personally, would like to see them eliminated.

I feel they got--I--constitutionally they have a right there, I guess. A lot of them have some--I mean, they have some pretty big investments in the fishery, maybe even more than I do, and--but, really these guys they're just reaping the cream right off the very, very top, and by them doing this they might catch the two biggest weeks of the season, and the guy who's been out there

all season, you know, they really bring his standard of living down from doing that. And this is partially the reason our fishery's is in the bad source it is by--you know, we have too many guys and there's too many people just doing this. If we could knock those guys that just primarily come down there for that two weeks of the peak year season and could get them out of the fishery somehow, the fishery could stand more people. I mean, not more people, but more people than if we left them there. Do you understand what I'm trying to say? I probably confused you there.

UNIDENTIFIED SPEAKER: As I understand what you're saying is, the man that depends on the fishery for an income should be granted a higher priority than the man that doesn't.

MR. LEESE: Oh, yes, I believe that. The main thing I wanted to do was see in this bill that there could be something in there about the participation. We've heard that a lot. And I just want it made clarified what some of these guys are saying about fishing your pole throughout the fishery, because in the gillnet fishery, like I mentioned when it started, I think if a man fishes through that season, even though he may not be as a high line a fisherman as one person or another, is he's participating and doing the best he can, he should be allowed to stay in the fishery. Although, this guy that comes down there for two weeks, he may be the biggest high liner there is, and make more money than that poor guy that puts his full season in there, but I think the one that stays in the fishery for the full season, and is the professional, he should stay in.

UNIDENTIFIED SPEAKER: And, so, the determination should be made

by participation in the fishery and not economic dependence on it.

MR. LEESE: Basically, yes. Cause that economic dependence is going to get out of hand. You know, it can really be interpreted a lot of different ways. And I more or less feel that a board--well, commission is the only one that can really evaluate this, and get the true meaning out of it. You know, whether a guy just fishing two weeks out of the period or one day out of the fishing period, or what. Like they mentioned, the fishing--fish tickets--it very--it's the fact they're easy to get. I mean, it's--it doesn't cost a lot of money to get a hold of those fish tickets and you can analyze it very easily. And I believe, if there was a study made, you would see the amount of boats in the fishery on the first day, by the last day there'd be only half the boats in the fishery. There wouldn't be half the boats, but it's be a tremendous number--a decline from the first day of the period to the last day of the period. And you can tell--and the period, I mean, throughout the season, the peak weeks there'd be a tremendous amount of fishing effort on the peak weeks rather than at the first of the season or the last of the season. Now this is partially from guys that troll and gillnet and halibut, they're making the right decision and they're on top of it there, and so--I mean, you'd have to realize that, but that's more or less the point I wanted to make.

CHAIRMAN: Any questions by any more members?

MR. LEESE: Thank you.

CHAIRMAN: Thank you. Anyone else wish to testify? State your name and who you represent.

DAN GARROUTTE: My name is Dan Garrouette. I'm from Ninilchik. I

represent myself only.

CHAIRMAN: What's your--what's that last name? It's almost like Tony's, only it's...

MR. GARROUTTE: Garrouette. G-a-r-r-o-u-t-t-e. I came down here mostly to learn about this entry bill. It's got most of shook up, and I think I it has most of the people that fish, whether they depend on it exclusively for a livelihood or just fish commercially, or intend to fish commercially. And like I say, I wasn't going to testify, but there are two or three points that kinda got hackles up, which always happens. I'm like Clancy. But, I came here with the intention of learning something about it, and the study group was appointed to look into this. They did a pretty good job and I'm really impressed with what they have to say, and I think should have a few people. I don't know if they presented their side like they did to us or not, but it's real good and I've had a little bit of change of mind. I was against the commission type concept at first, and I still am to a certain extent. I think maybe a five-man board, or commission would be more appropriate, but being's as this is about commercial fishing, I think is should weight--be weighted in favored of commercial fishing. It should be a concern to us only. Just a concern, gentlemen, just concerns of commercial fishing. So, I think maybe we should... Maybe a weighed choice there. And I (indisc.) entry, and I'm also for cutback in gear, and, of course, I feel that if anybody's damaged from this cutback they should be compensated, but those holding paper license should not be. And, I realize we're going to have to pay for it. And, maybe the commission could be enforced only long enough to

establish the rules. Once these rules are established, this is just my own idea, maybe it could be eliminated. I don't see any need for running a commission indefinitely. But, maybe... and I think this fish farming that Mr. Allison had real good help to rehab--I mean, quite seriously, it would. I believe it should be allowed for the commercial fisheries as long as-- up to a certain point. Now, I think if a man establishes a fish farm he should have some protection. He should have maybe like an area where some places you have to stay a mile away from the rivers, others 500 yards. I think if a man has this fish farm, I think he should have to stay this--get the same privileges a spawning stream with natural (indisc.) fish. And, I noticed the Legislature's a little bit sensitive to this 90-day reference that's made every so often. I heard a reference here and that's what got my hackles up, about potential clean-out of a fishery in five days. To me that's kind of (indisc.) with me. I fish Cook Inlet, and I would like to explain my reason for thinking we need a limited entry and that's one of them. This reference to--if you make a calculation for five hours you potentially clean out the run. I see that aimed at us directly because of that fiasco two years ago. But let me tell you my side of that story. In the Susitna River, which is the biggest branch of the Cook Inlet, the Fish and Game had a monitoring device in there that is a fish wheel. They're not intended to catch an awful lot of fish, it's just to monitor the run and see how they compare from year to year. On a normal year they catch about 1,200 fish in that fish wheel. In 1971 they caught 1,800 in one day. That's why I'm sensitive to this river. I think

it's aimed at us, maybe not. So, we got the low pack that year, but there was a lot of fish, and they were afraid to open it. Maybe that was one of the man's fears, I don't know. It could be. He was afraid that amount of gear could clean him out, although it was a bigger run than he estimated. (Indisc.)

CHAIRMAN: (Indisc.). Any questions, Mr. Gardner?

MR. GARDNER: Wouldn't you agree, though, that the larger your fleet gets, the more riskier it is landing the fish, because you don't know what will happen?

MR. GARROUTTE: Well, I think there's two or three thoughts of what happened there. Well, I know, still aimed at the same direction. That's a typical example. That's true. A lot of people are afraid of that and, not only are there larger fleets, but the fleets are much more efficient now. I've been fishing quite a number of years and I know my gear is much more efficient now with the same amount of effort than it was several years ago. So, I think we need to cut down gear. And I believe these ghost license is only going to stop new ones from coming in. I think you need more than to knock those out.

MR. GARDNER: What you think about--you know, you expressed the fear of the commission that everybody else has that--and so, would you agree, too, like everybody else was saying, that they wanted to see more specific standards drawn out so, therefore, the commission is limited?

MR. GARROUTTE: I think so.

MR. GARDNER: Course, you know who's going to draw these specific standards out. Is that the body that you trust more than the commission?

MR. GARROUTTE: Well, I hate to say this, but I'm going to. I remember but you could possibly have a, say, a help-to-hell owner's governor, and maybe he could appoint a Fish and Game Commission as a typewriter salesman, and I can visualize our sports fishing biologist there, (indisc.) is almost a three-man board. Course, you could hire a lawyer from Fairbanks, no reflection on Fairbanks, but then the commercial fisherman could be a sports commercial out of Juneau. That's what scares me about boards. If they could qualify that board (indisc.) favor there, I think maybe I could trust them. I don't--I'm--somebody'd say, you got to have one man from each gear. That is no big thing at all, but I do--I can see one thing. I think it should be scattered out all over the State, one from the northern part of the State, one central part, one the other. Because I can see a tremendous outlook that different on what should or should not be (indisc.), because some people do not understand the other areas.

MR. GARDNER: Do you see what I'm getting at, though. If the commission doesn't do, somebody does it, and so then you throw it back to the Legislature and there may or may not be people who know something about fishing, and even if they do know something about fishing, they're spending a lot of time on a lot of other legislation, and you can hardly qualify very many people in the Legislature as experts on fishing. And so, I'm sure that I have never heard any great trust in politicians anyway, so I'm just wondering about whether people actually the Legislators...

MR. GARROUTTE: Well, like I say, I'm beginning to have second thoughts. With the study that the Governor's group did is quite commendable, but I think maybe that's--the biggest part of it is probably

acceptable.

CHAIRMAN: Any members of the Legislature have anything else? Mr. Hubert.

MR. HUBERT: Well, Mr. Chairman, I don't quite share Mr. Gardner's concern, but especially as long as we have Representative Joe McGill as chairman of this committee, I think that there will be some fishing expertise used in whatever is drafted, and I share the witness's concern. God help us if we get any Fairbanks lawyers helping on that draft.

CHAIRMAN: I believe that we're going to (indisc.). That's what we're doing, but Mr. Rose, do you have something?

MR. ROSE: Yes, I'd like to say that we hope that this little interview we're having tonight here, will give you an idea of what we want as guidelines for that commission set up.

CHAIRMAN: Well, that was the purpose. That was...

MR. ROSE: Right. I just wanted to make that point clear.

CHAIRMAN: I want to say again that I'm real glad that it could happen while this group was in town.

MR. GARROUTTE: I didn't intend to testify, but I'm going to leave in the morning, and

UNIDENTIFIED SPEAKER: Well, most of the Legislature's gone at least (indisc.)

CHAIRMAN: Yeah. We're putting it all on tape, so thank you. If there's no more questions, thank you. Does anyone else wish to testify?

(End of tape)

DR. BART (sp.): If I could see some provision in the bill that would allow the fishermen to recall a member of the commission

that they feel is not giving them a fair shake, I guess is the best way to put it. That, say, 50 percent of the permit holders throughout the State sign a petition requesting that a commissioner be recalled, that nobody else could say no. I feel that something like this could alleviate many concerns the fishermen have. Another thing that I'm very upset about is the economic dependency clause put in this bill. I see so many hazy areas that the commissioners could shape one way or another that will affect so many people, and they're going to cause problems with the fishermen themselves. They're--well, I heard one remark the other day. The man's worried cause his wife's making too much and he's going to divorce her. This is ridiculous, but it's something that's being considered. Why should you people cause this much concern among the fishermen. All this does--it's not spelled out and it--that much--main fisherman out in the boondocks somewhere may say to himself if that's only solution to make sure that he's going to be in the fishing. And I hate to see something like this happen. And this is what's going through their minds. At least, if they're not doing it, they're at least thinking about it. On this professionalism. I would like to put in a suggestion here that the (indisc.) fishery, or however else you want to put it, that at least the idea of the amount of capital investment as compared to the income, could be used as a guideline. If a man has \$40,000 invested in the fishery he should be making more than a man who has \$4,000 invested in the fishery in order to qualify as a professional fisherman. I think this is a very strong point. Something else that I have given very strong consideration with is, being from the general

area is the strip fishing done in this area. I strongly feel that any permits issued should be under a separate category for these people. It's a separate type of fishery. I don't think they should be considered along with the power troller. The licensing is identical right now, but the fishing is not. It's a complete different ball game. And something else I'm concerned about is the administration of the interim permits. There's nothing definite in the bill that says how long these interim permits will be issued. The bill takes effect in 1974, but until the commission comes around to the specific areas and establishes the guidelines, they have to keep right on issuing interim permits for many years as it takes to happen. Till that commission gets there and establishes the optimum number of entrants, and this can be a serious problem. I guess I've about run out of steam. I'd like to get some questions now.

CHAIRMAN: Any questions? We're pretty well running out of question askers. Mr. Gardner.

MR. GARDNER: Yeah. Would you try to explain a little more your theory behind why a guy that has one (indisc.), the relationship between your investment and your income. What--I don't understand that.

DR. BART (sp.): Well, it's the same thing that you have in most any other business. A man can make a living with a small amount of investment easier--he needs less income to keep up his living. If he has a large amount of money invested, he is deeply involved. I guess what I'm trying to get at is, that you have (indisc.) sports commercial so-called fishermen who have a vast amount of money invested in the fishery, but they

are not catching that many fish. Their economic dependence is low. Someone else who has the same amount of money invested would be in a complete different category under this kind of a guideline, and I think that the man--I used the case of \$40,000 investment for one man, \$4,000 investment for another man. The \$4,000 investment will cover the man who's sitting out in the woods somewhere and he only needs a small amount of fish to live on for his livelihood, but a man who has \$40,000 invested, he's either going to have to use his \$40,000 in the fishery, or he's got some other idea of what he's going to use his capital investment for. And if it's not fishing, I don't want his piddling around in the fishery, period.

MR. GARNER: So which guy--I don't understand which guy's going to be in the higher priority.

DR. BART (sp.): If a man has \$40,000 invested and he's only getting \$1,000 a year in fish, he's in the small category as far as I'm concerned. That's what I'm--the point I was trying to make.

CHAIRMAN: Any more questions? Mr. Hubert.

MR. HUBERT: I don't know whether particularly to this witness or not. I'm concerned that we want--all of us seem to want limited entry and recognize its necessity as a means of controlling our fishery. At least to rehabilitate and getting it back to where it should be. Some of believe when we say limited entry we mean limiting--I guess we're talking about somebody else, and I'm concerned with I'm hearing here. Instead of limiting it against somebody else or something else, that we're setting Alaskan fishermen against Alaskan fishermen. And there seems

to be a lot of concern for that here.

DR. BART (sp.): Well, I guess the whole idea of the bill is that you--until everything is settled out, until every grain that will fit through the seive fits through, you're going to have a lot of agitation, and I don't see how you can get around it. And, the more stringent--whether the guidelines are set up, the more agitation you're going to have. I don't see where you're going to get away from it.

CHAIRMAN: I fall in a different category. You know, there's no question in my area that this bill would eliminate me to get them support, because I something that's got to be done.

MR. HUBER: Eliminate you because you're here you mean. So...

CHAIRMAN: Because I'm in office and got other business.

UNIDENTIFIED HOUSE SPEAKER: Yeah, this is not a question. It's just more or less a discussion. I suppose that different methods of fishing would put in separate categories, and take, for instance, a man with, say, a \$40,000 investment in a fishing boat, why he has a crew of about four or five men, but then a person who has an investment, say of about \$4,000, if he has a set netter where he can fish that by himself. Okay. See, the boat owner would have the one permit. Of course, I understand the the crew member would just require a commercial fishing license. So I'm sure that that would be put in there in consideration. I mean, they's be separated in different methods and different...

DR. BART (sp.): I requested a stipulation that the strip hand troll fleet or whatever you want to call it, would have a separate category all their own, because I cannot for the life of me see then in this--that being considered as saying a regular

full size troller.

UNIDENTIFIED SPEAKER: Dr. Bart (sp.), another question. Are you in favor or rehabilitating the program of any kind in any way.

DR. BART (sp.): I am strongly in favor or it, but I cannot see it as being effective until limited entry is in force.

UNIDENTIFIED SPEAKER: Thank you.

CHAIRMAN: Any more... Mr. Morrison (sp.).

MR. MORRISON (sp.): What you're talking about here is the criticisms of this bill as presented and so forth, not limited entry...

DR. BART: I'm all for limited entry.

CHAIRMAN: Any more questions? (Indisc.) anyone else wants to testify. How about you, John? Well, for everyone who's not here today tell them thanks a lot, and...

SCOMM

#31:3

\_\_\_\_\_: ...it does look like we are going to have to meet in the evening most of the time to get our work done. There are just too many conflicts otherwise. Mike, you've been working so much on this, you are probably much more familiar with our proposal than I am at this point, why don't you go ahead and point out the main things that we have changed and anytime anybody's got a question or a comment, why just ask it.

\_\_\_\_\_: Jim, do you have an extra copy?

\_\_\_\_\_: Yes. This is not a formal meeting at all. This is just a get-together, a work session to kick this thing around and see what kind of ideas we have for the bill. What we think needs to be in it. Whether this meets some of our objectives or not.

\_\_\_\_\_: These are the ones from Legal Services?

\_\_\_\_\_: Right, Legal Services, and then the Buy Back.

\_\_\_\_\_: \_\_\_\_\_ Legal Services in this package?

\_\_\_\_\_: Yea, right on the second one that looks like it is a piece of the bill starting off with "Applicant Pool" at the top of the line. That's from Legal Services. It wasn't checked back. It has one problem constitutionally according to the Attorney Generals office.

\_\_\_\_\_: I think it would be easier at this point just to work through the Governor's Bill that has the additions on it. Most of those additions and deletions and everything should go pretty rapidly. Then if we have any problem, get

to the Buy Back assessment and then this Legal Services language. The first change is on page two. To include all commercial species, this is pretty much a feeling of a number of people. There is one problem with halibut.

\_\_\_\_\_: I'd say you should include species, but you might not be able to shut off the licenses, but you should take it under. But until we can negotiate a deal with Canada that equitably divides the catch, any effort we reduce just will mean a greater catch for the Canadians. They \_\_\_\_\_ limited entry on their salmon. And what they have done is they found that modernizes their \_\_\_\_\_ of salmon vessels and puts them into a trolling fleet, and they have gone up to 60% of the catch on trolling where they were 40% here about four years ago.

\_\_\_\_\_: How does everybody envision this happening with the growing fishery that hasn't been harvested up to that time. The commission will just automatically issue them up until the point in time when they thought that there was some problem?

\_\_\_\_\_: No.

\_\_\_\_\_: Or until Fish and Game thought there was some problem?

\_\_\_\_\_: They would try to estimate how many the fishery could handle.

\_\_\_\_\_: Well, take black cod in Southeast Alaska. There is no way of estimating because nobody, right now, it is

going to just burst wide open, because everybody is buying pots to go black cod fishing with pots.

\_\_\_\_\_: Well, I'll tell you, with the harvest of black cod, the unit effort has already leveled out.

\_\_\_\_\_: No. That's in the northern half of Southeast. Nobody harvests below Petersburg. And these guys, they are going to start going out. Dixon Entrance is probably one of the richest areas of black cod in the whole west coast and that is only being fished by the Japanese and other people. So they are going to start moving out beyond the three miles and stuff like that. I don't know how you reason this out as being \_\_\_\_\_ until some point when for some reason somebody thinks there is a need.

\_\_\_\_\_: Well, if you don't think there is a danger now you haven't studied the \_\_\_\_\_ coast. The impact in the north, to call one stock.

\_\_\_\_\_: He is asking, how do you ensure?

\_\_\_\_\_: Well, the thing is that you... Unless you have a treaty that protects your half, you are liable to have more entries that you want before you can shut off. But I say you certainly want to shut off your territorial water.

\_\_\_\_\_: Well, on page five anyway, we talk about standards at the bottom of that and you say you mention a number of units of gear, or each type of gear, and for each administrative unit. So be established by the commission based upon the number of units of gear necessary to harvest peak runs based

on a six days a week fishery, and for as long a season as is feasible. So when it is a new fishery opening up, they can establish the maximum amount of gear necessary to harvest that fishery. To the best of their knowledge. Now it also provides, on page six, that they can increase the maximum number of units of gear, when certain all these things have happened. We did not give them the power to decrease. If we did that we would be right back to where we are in the beginning. Does that answer your questions, Terry, at all?

TERRY\_\_\_\_\_: Yea. I'm just not sure that I... (Indiscernible) There is only one guy who has been black cod fishing in the whole... (Indiscernible) Now say, 30 guys are going to go in. Well, if I were on the commission I wouldn't have any idea what is there. You would have to say, well, only fifteen guys can go in.

\_\_\_\_\_: You might add on the side of conservation for a change. I'd like to see somebody go that.

\_\_\_\_\_: Go easy and gradually give..(indiscernible)

TERRY\_\_\_\_\_: Well, see, none of these guys participated in the black cod fishery, so you would just have to have a lottery I guess. And the way black cod season is, it is almost year around too. And so, I just couldn't see it working as well.

\_\_\_\_\_: It is really not our worry because it doesn't leave \_\_\_\_\_ that very plainly to the commission. If

If you don't want the commission, then I'll have to figure that out. By then we need a biological staff.

\_\_\_\_\_: Okay.

\_\_\_\_\_: Did you get all the copies?

\_\_\_\_\_: I gues so.

\_\_\_\_\_: Okay, well I think maybe he has got some more stuff.

\_\_\_\_\_: I'm sorry I'm late, I really thought it was tomorrow night.

\_\_\_\_\_: What happened to Mike?

\_\_\_\_\_: He got called out.

\_\_\_\_\_: We just finished on page two...

\_\_\_\_\_: I have a question Bob. When you take all commercial species does that include everything? Crab, shrimp?

\_\_\_\_\_: Crab, shrimp, sea urchines.

\_\_\_\_\_: Anything \_\_\_\_\_. See, if we limited our south fleet to four boats, they could have fished forever. Allowing the over supply wiped us out.

\_\_\_\_\_: Are you going to run off?

\_\_\_\_\_: (Indiscernible)

\_\_\_\_\_: Okay. Now, while it includes all commercial species here, we don't lay out guidelines or specific means by which we determine who will be qualified to fish, other than in the salmon net fishery in this bill. We may want to include some standards or some specifications for shrimp and crab here, but these other things we leave to the

commission. But because we have included all species, it does give them the power to set up some standards.

\_\_\_\_\_: You say \_\_\_\_\_ that they might set up standards that are not in compliance with what we might have them do...Do you see any possibilities? I don't know anything about the fisheries of shrimp?

\_\_\_\_\_: Well, I think we have given them... We have said as I \_\_\_\_\_ on page five, the bill is set for a maximum amount of gear in relation to what is needed to harvest it and so on. And we give them broad guidelines and all we can do is give them a chance to make it work, and if they don't, then we'll come back and amend. But we do have time to do that for these other species. The salmon we have got to do something about now. As I see it.

\_\_\_\_\_: Well, I tell you, for shrimp and crab you have got to do something now. Because there is a few areas that the shrimp are not maximized yet. But in the Kodiak area they have already overharvested. In my area they are right up to peak. In otherwords, anything in addition is going to hurt. And so you have got to cover it. It is like, you wouldn't to leave out the northern part of Alaska today because this is the one place that you probably could stand a little bit of an increase, you know, in some of the areas, but not much more, before you would be facing the same problem there as we are facing here. So now is the time. It would be painless to do it up there

because you wouldn't have to take anybody's license.

\_\_\_\_\_: Okay. Well let's see how we are going to try to do it as far as salmon is concerned and then we will see if that same method will fit \_\_\_\_\_. Joe, anytime you have any comments, please don't hesitate. Again, this is not a formal meeting. We are just trying to work this thing around.

\_\_\_\_\_: Well at this point I have a lot of questions. I don't really know what you are doing.

\_\_\_\_\_: Okay.

\_\_\_\_\_: \_\_\_\_\_ whether or not you are going to rule anybody out of the fishery right off the bat? Or let them die a slow death.

\_\_\_\_\_: Again, we will have to debate that issue when we get there. And we haven't gotten there yet. So let's hold off on that for just a little bit. We are down to term of office, I think, on page two. Why don't you go ahead Mike?

MIKE \_\_\_\_\_: From the USA meeting and all the other hearings we had here, the fishermen are scared to death of the commission. And the politics involved. Everyone seems to have felt that it was a good idea to stagger the term of office and there was a great deal of comment about the governor's act \_\_\_\_\_ the Board of Fish and Game here in the past, and its removal only for cause. And it was suggested that the commissioners could only be removed

for \_\_\_\_\_.

\_\_\_\_\_: The point being that the Board of Fish and Game members can supposedly only be removed for cause, but we have seen what has happened in the past, therefore, they want to tie it down more strictly. Is malfeasance adequate or do we need that term malfeasance, or misfeasance?

\_\_\_\_\_: I think both terms perhaps should be in there.

\_\_\_\_\_: Okay.

\_\_\_\_\_: Usually it is misfeasance and nonfeasance. I'm not sure whether malfeasance might be the same as misfeasance.

\_\_\_\_\_: Well would you check into the proper language.

\_\_\_\_\_: The staff could work it out. It is just that they didn't want them removable for anything except gross violation of their job. And if you don't want this, bring that issue up now, where the actual terminology could be left to the staff.

\_\_\_\_\_: Yes. I might point out to the committee members that this is -- there has been no attempt to use proper legal language. We are just trying for context and ideas.

\_\_\_\_\_: Alright. Well, what do you think, first of all, about the concept of staggered terms? Do you think that is important?

\_\_\_\_\_: Yes.

\_\_\_\_\_: What do you think about the concept of more... of tying this down to more than just removal for cause? That there has got to be some malfeasance or misfeasance

or whatever the terminology winds up being, in office before they can be removed?

\_\_\_\_\_: Do you have three year terms?

\_\_\_\_\_: Well, four year terms. Except the first ones.

\_\_\_\_\_: Except the first ones. But even for governor, now, actually when you have got, one, two and three year terms as well as the four year terms, probably, well, there is only three members...

\_\_\_\_\_: One for two, one for two, one for four. Joe?

JOE \_\_\_\_\_: I just wanted to ask Mike or whoever put that word in, what is the difference between cause and malfeasance?

\_\_\_\_\_: I don't know. Now this is language that Adasiak....

\_\_\_\_\_: I can answer that one. What the rule was when they removed the Fish and Game Board for cause, they just said because the Governor didn't like his looks.

\_\_\_\_\_: Well, that just at the pleasure of the Governor.

\_\_\_\_\_: No. The Board of Fish and Game is not at the pleasure of the Governor because he was removed for cause. And he says, because I didn't like the rulings they make.

\_\_\_\_\_: And that was the cause?

\_\_\_\_\_: That was the cause and they removed them.

\_\_\_\_\_: (Indiscernible -- several speaking at once)

\_\_\_\_\_: Hickie is the one who did it. He said, because I don't like the way they are doing their job.

\_\_\_\_\_: Well isn't this whole point a very good one, that in other places we do have cause defined?

\_\_\_\_\_: Yes. If you want to you can. Again, I would say why not leave that to the staff to decide whether we want them nonremovable except for a gross violation of their trust.

\_\_\_\_\_: It can't be just at the whim. And use cause as an excuse. Okay. Are we generally in agreement with that concept then?

\_\_\_\_\_: Well, I have a reservation Mr. Chairman. Of course there is the other side of the coin too. \_\_\_\_\_ could make a mistake and we could make a mistake in confirming somebody. And you don't want to make it impossible to get him out of there.

\_\_\_\_\_: The only way you can -- the legislature can overrule anything they do by concurrent resolution, even if they couldn't remove him. You always have the legislative route.

\_\_\_\_\_: Does this commission (indiscernible)

\_\_\_\_\_: Yes. I hope that there are no fishermen on it really. I'd just as soon not...

\_\_\_\_\_: Is that what everybody seems to think is best, just a three man committee?

\_\_\_\_\_: I don't know. But it ranges all the way from five to three, some want area representation, I think actually that is the one thing that Joe McGill and I are agreed on. He says, for God's sake keep the fishermen off it. They have such a narrow, prejudice view, that you are much better off to let a commission like this operate. In fact, I would