

SCOMM

#36:21

HB 658

"An act relating to proposals for fisheries regulations"

DATE INTRODUCED
2/13/84

RELATED BILLS PENDING

SPONSOR(S)

Rep. McBride

REFERRALS

Resources

IDENTIFICATION

INITIAL SUMMARY COMPLETED

LEGAL DIVISION SUMMARY

INITIAL RESEARCH

DEPT OF LAW SUMMARY

SPONSOR CONTACTED FOR BACKUP MATERIALS

FISCAL NOTE

AGENCY RESPONSE

OTHER INTERESTED LEGISLATORS NOTIFIED

BACKGROUND RESEARCH

SIMILAR BILLS INTRODUCED IN PREVIOUS LEGISLATURES

OTHER STATE OR FEDERAL PRECEDENTS, REGULATIONS, ETC

RESPONSES FROM INTERESTED PERSONS AND/OR GROUPS

HEARING PREPARATION

CHAIRMAN BRIEFED

DATE & PLACE SET

STAFF MEMO TO COMMITTEE

TELECONFERENCE

BACKGROUND MATERIAL DISTRIBUTED

PSA/PRESS RELEASE

LIST OF WITNESSES

SUGGESTED AMENDMENTS/CS DRAFTED

Hein
2027

Introduced: 2/13/84
Referred: House Special Committee
on Fisheries and Resources

1 **IN THE HOUSE**

BY McERIDE

2 **HOUSE BILL NO. 658**

3 **IN THE LEGISLATURE OF THE STATE OF ALASKA**
4 **THIRTEENTH LEGISLATURE - SECOND SESSION**

5 **A BILL**

6 **For an Act entitled: "An Act relating to proposals for fisheries regula-**
7 **tions."**

8 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

9 * **Section 1. AS 16.05.251 is amended by adding a new subsections to**
10 **read:**

11 (c) A proposal by an employee of the department for the adop-
12 tion, repeal, or amendment of a Board of Fisheries regulation may be
13 submitted to the board; however, a copy of the proposal shall be sent
14 in a timely manner to the regional fish and game council for each
15 management region that may be affected by the proposal. All other
16 proposals for the adoption, repeal, or amendment of a Board of Fish-
17 eries regulation shall be submitted to the appropriate local fish and
18 game advisory committees in each management region that may be
19 affected by the proposal. Each advisory committee shall review the
20 proposal and, not later than 30 days after receiving the proposal,
21 shall forward it along with the committee's recommendations to the
22 appropriate regional fish and game council. A regional council shall
23 consider the recommendations of all interested advisory committees and
24 shall either approve the proposal and forward it with the council's
25 recommendations to the Board of Fisheries for consideration at the
26 next board meeting or shall reject the proposal and, within a reason-
27 able time thereafter, provide written notice of the reasons for the
28 rejection to the person who submitted the proposal. The Board of
29 Fisheries may not consider a proposal submitted directly to it by a

HB 658

1 person who is not an employee of the department.

2 (d) For purposes of (c) of this section, "regional fish and game
3 councils", "local fish and game advisory committees", and "management
4 regions" mean the fish and game councils, committees, and management
5 regions established by regulation under authority of AS 16.05.260.
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ALASKA STATE LEGISLATURE

...13th... Legislature SECOND... Session

HOUSE BILL..... NO. 658...
By MCBRIDE.....

"An Act relating to proposals for fisheries regulations."

Fisheries Regulations

Introduced in the House 2/13, 1984

HISTORY IN THE HOUSE

19 84	Read first time and referred to Committee on												
Feb. 13	House Special Committee on Fisheries and Resources Reported back with recommendation that												
	Read second time and												
	Read third time and												
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PASS	Effective Date												
Yeas	Yeas												
Nays	Nays												
Absent	Absent												
Excused	Excused												
	Reported correctly engrossed Signed by Speaker Sent to Senate												
CHIEF CLERK OF THE HOUSE													

HISTORY IN THE SENATE

19	Read first time and referred to Committee on												
	Reported back with recommendation that												
	Read second time and												
	Read third time and												
	<table border="0"> <tr> <td>PASS</td> <td>Effective Date</td> </tr> <tr> <td>Yeas</td> <td>Yeas</td> </tr> <tr> <td>Nays</td> <td>Nays</td> </tr> <tr> <td>Absent</td> <td>Absent</td> </tr> <tr> <td>Excused</td> <td>Excused</td> </tr> </table>	PASS	Effective Date	Yeas	Yeas	Nays	Nays	Absent	Absent	Excused	Excused		
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PASS	Effective Date												
Yeas	Yeas												
Nays	Nays												
Absent	Absent												
Excused	Excused												
	Reported correctly engrossed Signed by President Returned to House												
SECRETARY OF THE SENATE													

HISTORY IN THE HOUSE

19	Received from Senate
	Concurred in Senate amendment thus adopting: VOTE
	Failed to concur in Senate amendment; asked Senate to recede VOTE
	Senate receded from amendment VOTE
	Senate failed to recede from amendment VOTE
	CC appointed by House
	CC appointed by Senate
	CC adopted by House VOTE
	CC adopted by Senate VOTE
	To enrolling Reported correctly enrolled Sent to Governor by Governor
	Filed with Lt. Governor
	Chapter No.

COMMITTEE REPORT

HOUSE

(7)

FURTHER: RESOURCES

2/13/84

Date: _____

The Committee on HOUSE SPECIAL COMMITTEE
ON FISHERIES has had HB 658

"An Act relating to proposals for fisheries regualtions."

under consideration and recommends:

- do pass do not pass
- do pass with attached amendments(s)
- replace with CS for _____ same title
- new title
- and recommends _____
- AND attaches a "Letter of Intent" New Fiscal Note
- reports it back without recommendation Zero Fiscal Note Attached
- referred to the _____ Committee

MEMBERS SIGNING
DO PASS

MEMBERS HAVING
OTHER RECOMMENDATIONS:

CHAIRMAN

STATE OF ALASKA
THE LEGISLATURE

LEGISLATIVE AFFAIRS AGENCY
LEGISLATIVE REFERENCE LIBRARY

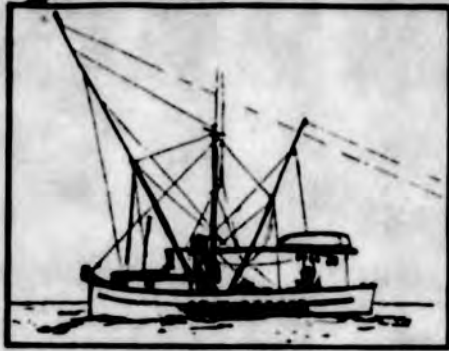
FOUNDER - STATE CAPITOL
JUNEAU, ALASKA 99811
907-465-3800

May, 1988

Copies of minutes listed below were originally included in this file. The minutes are available on the STAIRS database CMPR. In order to save space copies of minutes have not been left in the files.

Mary Van Nimwegen

House Special Comm. on
Fisheries 3/13/84 3:30 pm
 3/15/84 2:30 pm



Alaska Trollers Association

REPRESENTING ALASKA POWER TROLLERS

205 North Franklin Street
Juneau, Alaska 99801
(907) 586-9400

March 15, 1984

Rep. Adelheid Herrmann, Chairman
House Special Committee on Fisheries
Pouch V (MS 3100)
Juneau, Alaska 99811

To All Special Committee Members:

The Alaska Trollers Association takes pleasure in commenting on the following bills:
HB 526, HB 563, HB, 658 and HB 645.

HB 526: ATA appreciates the intent of this bill, but will discuss a preferred option after giving specific suggestions as to the contents of this bill and the remaining. In paragraph (a)(1) "maximum sustainable yield" should be replaced with "harvest guideline". Harvest guideline may include maximum sustainable yield (MSY), but often the biological information for some species to define MSY is not available nor are the dollars for research, personnel nor time to define it. Ideally, it is a good idea, but not practical.

In paragraph (b)(1) change "economic" to "income" because as used here this is a more precise and definable term.

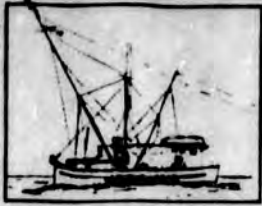
In paragraph (d) it should either be written "The Commissioner or the appointed substitute may participate in the development of a Board of Fisheries Management Plan in an advisory capacity" or strike paragraph (d). As written it would undermine the regulatory ability of the Board. The Department should not be allowed to make value judgements, particularly on allocative matters.

HB 563: Local provincial political pressure on a regional fisheries board would lose the objectivity of the Board. ATA believes the objectivity of this bill now being addressed by the new direction of the Board of Fisheries which is to encourage participation, input and direction from local advisory committees and regional advisory councils.

Increased bureaucracy needed to handle the structure of regional boards will decrease the Department's funds for other needed projects and from the committees. That is, the proposed costs will have many hidden costs such as per diem and travel costs to support additional board members which will be detrimental in times of decreasing funds.

Also, the Commissioner should not be seated as a voting member on the master board if the board is to remain non-professional. (And see comments on HB 526(d)).

Most species of fish are migratory and do not respect boundary lines developed by mankind. Many fisheries management plans by regions would overlap authority. In addition to coordination between the regions, often plans have to be developed to comply with the Magnuson Fishery Act and the North Pacific Fisheries Management Council. (i.e. Tanner crab, salmon, herring and groundfish plans now in existence).



HB 658: Again, ATA appreciates the intent of the bill, but feels that since each advisory committee must review each proposal within 30 days hardly anything would get to the regional councils. It is often impossible to get a quorum at advisory committees or regional councils in the summer when everyone is "gone fishing". And it is also difficult in the fall when many are out hunting. (This is Alaska).

Individuals should have the right to submit their proposals and expect consideration of their ideas. While ATA recognizes the importance of committees and councils and encourages their use, we would not like to see the regulation process slowed more. Proper staff and complete data is often not available to make complete and sound judgments. The current system does ask committees to review, discuss and make suggestions on all proposals before they are reviewed by the Board.

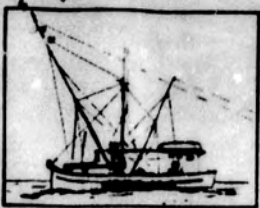
0145 HB 645: The composition of the seven member Board is satisfactory with ATA. If it is deemed politically necessary to expand the Board by two members in order to maintain and preserve the present board system, then we would agree. ATA does support confirmation of the present Board members.

Southeastern Alaska fisheries are as diversified as the entire remaining balance of the State of Alaska. The fisheries include such issues as king, tanner and dungeness crabbing; gillnet and seining herring; herring roe; pot and trawl shrimping; blackcod, halibut and groundfish longlining and jigging; gillnetting, surf setnetting, river setnetting, purse seining and trolling (power and hand) salmon of all species; plus sports and subsistence uses of all the above. Southeast Alaska also has hatchery and enhancement production from Federal, State, regional aquaculture associations and private non-profit groups which require thoughtful and knowledgeable allocation decisions. Plus, we have been deeply involved in negotiations of a treaty between Canada and the United States. For these reasons ATA supported retention of two Southeastern seats on the Board of individuals familiar with the resources.

There has been some discussion of changing the Boards of Fisheries and Game from lay composition to professional. The State of Alaska has established one of the most democratic methods of representation into its fish and game management of perhaps any state of the Union. (Other states manage with legislation and/or departmental with little opportunity for public input). A professional board would negate much of this process and would allow paid, unbiased, professionals to make resource decisions.

A true, unbiased professional board could not have seated any commercial fisherman, processor, businessman who depended upon the use of the resource in any manner (vessel loans, fish sales, insurance) nor sports, subsistence or personal use fishermen. Where in the State of Alaska could we find seven to nine individuals who have none of the above? Retired bureaucrats perhaps? What would happen to the advisory committee process?

What are the issues? Perhaps it is the composition of the Board. From the 1979 through the 1982 sessions the Board of Fisheries addressed 1,474 proposals of which 203 were sport issues. That is fourteen percent (14%) of the total proposals. Of this 14% only a few were allocative issues. One of the seven Board seats at present is held by a "sportsman". This is also 14% of the total. (Actually, most of the seven present members hold sports licenses and actively sportsfish; just poll them). But this is not the issue.



Alaska
Trollers
Association

page 3

0157 We suggest the real issue is representation on allocative problems. ATA does not support legislative mandated allocation guidelines; but rather guidelines suggested by the public. The Boards of Fisheries and Game should hold public hearings throughout the State to develop specific guidelines and criteria for these Boards to follow in all allocative issues. Indeed, this is precisely what the present Board of Fisheries would like to see implemented. Guidelines would eventually take a great part of the politics out of this process and allow the Boards to "get on with their work".

Sincerely,

A handwritten signature in cursive script that reads "Earl E. Krygier". The signature is written in dark ink and is positioned above the typed name.

Earl E. Krygier
Acting Executive Director

EEK:jmm

STATE OF ALASKA 1984 LEGISLATIVE SESSION
FISCAL NOTE

Revision Date:

REQUEST

Bill/Resolution No.: HB 658
 Title: ...proposals for fisheries regulations.
 Sponsor: McBride
 Requestor: House Fisheries Committee
 Date of Request: _____

FISCAL DETAIL

Agency Affected: Fish and Game
 Program Category Affected: NRMEC
 BRU, Program or Subprogram(s) Affected: Boards of Fisheries and Game

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 84	FY 85	FY 86	FY 87	FY 88	FY 89
OPERATING						
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL		349.5	372.0	395.6	420.4	446.4
400 SUPPLIES		25.0	26.3	27.6	29.0	30.4
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS						
800 MISCELLANEOUS						
TOTAL OPERATING		374.5	398.3	423.2	449.4	476.8
CAPITAL						
REVENUE						

FUNDING: (Thousands of Dollars)

GENERAL FUND		374.5	398.3	423.2	449.4	476.8
FEDERAL FUNDS						
OTHER						
TOTAL		374.5	398.3	423.2	449.4	476.8

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

SOURCE OF FUNDS TO OFFSET FISCAL IMPACT OF BILL:

Not specified by sponsor of bill.

ANALYSIS: Attach a separate page for analysis

Prepared By: Beverly Reaume *Janey Louann* Phone: 465-4210
 Division: Administration Date: 3/7/84

Approved by Commissioner: *Oneil* Date: 3-12-84
 Agency: _____

- Distribution (by Agency preparing fiscal note):
- Legislative Finance
 - Legislative Sponsor
 - Requestor
 - Office of Management and Budget
 - Impacted Agency(ies)

Fiscal Impact Statement for Implementing
House Bill No 658: Proposals for Fisheries Regulations

Currently in FY 84, travel for Regional Councils and Advisory Committees is budgeted at 449.5. Since each proposal is to be reviewed by the appropriate advisory committee and then forwarded to the Regional Council for approval before it can reach the Board of Fisheries, this will double travel and per diem costs. Increased costs also include advertising, printing and supplies. Screening of proposals by the advisory committees should result in shorter board meetings, thus decreasing the costs associated with these meetings somewhat.