

ALASKA LEGISLATURE SPECIAL COMMITTEE / SUBJECT FILE 8672

1256 SCOMM 48: HOUSE SPEC. COMMITTEE ON FISHERIES 1985-86

Mr. Anthony Calio
February 18, 1986
Page Two

Again, we strongly urge your support of the \$250,000 NMFS pilot domestic fishing vessel observer program for Alaska waters. Thank you for your consideration of our request.

Sincerely,

Peter Goll
Chairman

c.c. Senator Ted Stevens
 Senator Frank Murkowski
 Representative Don Young

STATE OF ALASKA 1986 LEGISLATIVE SESSION

FISCAL NOTE

Revision Date : _____

REQUEST

Bill/Resolution No. : HB 355
 Title : An Act authorizing the Board of Fisheries to establish onboard observer program.
 Sponsor : _____
 Requestor : Governor
 Date of Request : _____

FISCAL DETAIL

Agency Affected : Dept. of Fish & Game
 BRU : Commercial Fisheries BRU and Components

Components : _____

EXPENDITURES/REVENUES : (Thousands of Dollars)

OPERATING	FY 86	FY 87	FY 88	FY 89	FY 90	FY 91
PERSONAL SERVICES		355.3	400.3	445.3	490.3	535.3
TRAVEL		37.5	42.5	46.3	50.9	55.3
CONTRACTUAL		3.2	3.2	3.8	4.0	4.3
SUPPLIES		4.0	4.0	4.6	4.8	5.1
EQUIPMENT		-0-	-0-	-0-	-0-	-0-
LAND & STRUCTURES		-0-	-0-	-0-	-0-	-0-
GRANTS, CLAIMS		-0-	-0-	-0-	-0-	-0-
MISCELLANEOUS		-0-	-0-	-0-	-0-	-0-
TOTAL OPERATING		400.0	450.0	500.0	550.0	600.0

CAPITAL						
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REVENUE						
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FUNDING : (Thousands of Dollars)

GENERAL FUND		400.0	450.00	500.0	550.0	600.0
FEDERAL FUNDS						
OTHER						
TOTAL						

POSITIONS :

FULL-TIME		0	0	0	0	0
PART-TIME		20	20	20	20	20
TEMPORARY		0	0	0	0	0

ANALYSIS : Attach a separate page if necessary

Prepared by : *GW Thornby*
 Division : Commercial Fisheries

Phone : 465-4210
 Date : 1/30/86

Approved by Commissioner : _____
 Agency : Department of Fish and Game

Date : _____

Distribution (by Agency preparing fiscal note) :

Legislative Finance
 Legislative Sponsor
 Requestor
 Office of Management and Budget
 Impacted Agency(ies)



Official Business

Alaska State Legislature

House of Representatives

Special Committee on Fisheries

Pouch V
Juneau, Alaska 99811

Phone:
(907) 465-4924

MEMORANDUM

February 8, 1986

TO: Members, House Special Committee on Fisheries

FROM: Representative Peter Goll *P. Goll*

SUBJECT: House Bill 355 (Onboard Observer Program)

House Bill 355 authorizes and funds an onboard observer program for the domestic fishing fleet under state jurisdiction. It will be considered at a public hearing at 8:30 a.m. Tuesday, February 11.

The legislation allows the state of Alaska to require that certain fishing operations have on-board observers hired by the state. The observers monitor catches coming aboard the vessel to gather biological information and to enforce some regulations.

The federal government now requires observers on foreign fishing operations in our 200-mile zone. The cost of the federal observer program is paid by the foreign fishermen through a fee process. The need for a program placing observers on domestic fishing vessels is a source of concern as American fishermen displace the foreign fleets in our offshore fisheries.

Under the terms of the Magnuson Fisheries Conservation Management Act, the federal government is precluded from assessing U.S. fishermen for more than the basic costs of administering the program. Their fees cannot be used to pay observer salaries, provide insurance coverage for sea duty or cover training costs.

The National Marine Fisheries Service recently submitted a \$250,000 request to fund a pilot domestic observer programs, but the cost-cutting atmosphere currently surrounding the federal budgeting process raises many questions about whether the project will be funded.

Onboard Observers
February 8, 1986
Page Two

The North Pacific Fishery Management Council may have discovered a mechanism that may help alleviate the funding issue. The NPFMC recently closed an area of the Bering Sea to domestic trawlers, except for vessels targeting on Pacific cod which have federal observers onboard. The U.S. fishermen will have to pay for the cost of the observers if they wish to fish in that particular area.

The Alaska fishing industry and state fisheries managers have been closely watching the progress with the federal program. The offshore trawl and pot fishing operations can catch large numbers of "incidental" species as they target on stocks, such as pollock, sole and crab. Since these incidental catches include salmon, halibut, sablefish and crab, the support on the state level for a domestic observer program appears to be very widespread.

Trawl and pot fishermen are prohibited from keeping most of the higher value species taken as incidental catches, although most are dead by the time they are hauled aboard the vessels. Many of the offshore fisheries have incidental catch lids that will close the target fishery once a certain number of so-called "prohibited species" are taken. A primary function of the onboard observers is to monitor the incidental catch and take of these prohibited species. Many Alaskans who depend on these higher value "prohibited species" obviously favor the close monitoring.

The observer data also can benefit the trawl fleet because fisheries managers are conservative unless solid, unbiased information is available. Unverified reports from trawlers that they have reduced incidental catches in a particularly fishery often are not sufficient to convince managers to allow more fishing time.

Since the state only has clear jurisdiction over fishing vessels that operate within three miles of our coastline, a state observer program must be accompanied by a cooperative agreement with federal authorities to be truly effective. Jim Branson, executive director of the NPFMC, is confident that federal officials would be pleased to work with the state under a cooperative program.

The Alaska Board of Fisheries has established authority for a state-run domestic observer program by regulation (5 AAC 39.141). House Bill 355 clearly establishes statutory authority for such a program and provides funding (fiscal note attached) for implementation.

ADF&G

**On-Board Observer Program for groundfish and shellfish
fisheries in the Central Gulf of Alaska, Alaska Peninsula
and Bering Sea, and Southeast Alaska.**

This document is designed to provide information and guidance for administrators in preparation of a budget document for a Westward groundfish--shellfish observer program. Attached is a detailed operational plan for groundfish observation procedures including the purpose, objectives and detailed sampling procedures. Included also is a table showing the proposed scheme of effort distribution relative to quarter, management area and species for the proposed budget by line item.

The primary purpose of this observer effort would be to monitor and document the composition of catches as they come aboard commercial groundfish and shellfish vessels during fishing operations. This purpose would be achieved through accomplishment of the following objectives:

1. Monitor the composition and catch per effort of target, incidental and prohibited species catches made by commercial shellfish-groundfish operations relative to time and area fished.
2. Study the spatial and temporal distribution of prohibited species catches in an effort to determine if cyclic spatial and/or temporal relationships can be detected for specific species groups.
3. Distribute observer effort on the various species based on the times and areas of primary fleet emphasis.
4. Work closely with the various user groups to learn the problem areas relative to prohibited species by-catches and the extent to which the fleet can avoid these species.
5. Continue to evaluate the sampling strategy, data collection procedures, and sampling methodologies used to collect, record and summarize shipboard observer data.

6. Determine the statistical validity of expanding prohibited species catch rates into the catch by the total fleet on a time-geographic area basis. Revise existing procedures, if necessary.
7. Continue to develop summaries and overviews of observer results. Attempt to develop routine summaries which answer the many questions posed by the various user groups.
8. Attempt to improve the data exchange on observer results with NMFS. The goal of this coordination would be to develop an integrated observer reporting system which includes the domestic as well as joint venture and directed foreign fishing effort.
9. Develop a data summarization program with the flexibility to summarize the accumulated data base on any desired group of parameters so as to satisfy needs of diverse user and agency groups.

This observation effort would be allocated quarterly on a prioritized basis among four fisheries management areas (Kodiak-Chignik, South Alaska Peninsula, the Bering Sea, and Southeast Alaska, and six species (Pacific cod, pollock, Tanner crab, Dungeness crab, king crab and sablefish). In terms of species priority, the catcher processing operations targeting on king crab, cod and pollock would have first priority, with the shore-based fleet targeting on cod and pollock having second priority. Effort would be most intense during the April-June quarter due to heavy effort for pollock and sablefish, with the least effort scheduled during the June-September quarter when the primary effort is for Pacific cod in the Bering Sea. This prioritization scheme is incorporated into the effort distribution table (Table 1) by quarter, management area and species group.

A breakdown of cost factors for this proposed observer effort by line item is shown in Table 2. Review of the proposed expenditures by line item shows that 88% of the costs would be in personnel services. These personnel services costs are based on Fishery Technician III salaries and the observers being paid sea pay for seven days a week during one-half of their total employment period. Sea pay is presently paid at the rate of 3.5 hours per weekday at sea

and 15 hours per weekend day or holiday while at sea. This calculates to 85 hours per full week at sea including base pay.

As mentioned above, this observation effort would be distributed over five fisheries-Pacific cod, king crab, pollock, sablefish and Tanner crab. The fisheries for cod and pollock use bottom trawl gear, those for king and Tanner crab utilize pots, and that for sablefish utilizes bottom trawls, longline gear as well as pots. While the majority of observation effort would be in the trawl and crab pot fisheries due to their higher potential for prohibited species catches, effort would be expended in the sablefish longline fishery on a time available basis due to its potential for catching halibut.

The final product of the observer data collection procedure would be estimates of the total catches of each species by haul. These estimates are coupled with the basic haul parameters from each tow via an integrated Lotus/R-base program which can summarize catches according to nearly any desired group of variables. In-depth operational plans for observation procedures including subsampling, effort distribution and data handling protocols trawl, have been developed and are available for use in this program.

Table 1. Distribution of FY 1987 shellfish and groundfish on-board observer effort (man-months) by quarter, management area, and species group.

Area	Species Group	Quarter			
		Jan-Mar	Apr-Jun	Jul-Sep	Oct-Dec
Kodiak	PC-Pol	6	8	-	8
	Tanner	2	-	-	-
	Dungeness	-	2	0.5	-
	Sablefish	-	2	-	-
Shumagin	PC-Pol	2	2	2	-
	Tanner	2	-	-	-
Bering Sea	PC-Pol	3	9	6	3
	Tanner	-	-	-	-
	King Crab	-	-	-	2
Southeast	Rockfish	1.5	2	0.5	1.5
	Sablefish	-	2	0.5	-
	Flatfish	1.5	-	-	1.5
Totals		18	27	9.5	16

Table 2. Shipboard observer cost distribution.

ON-BOARD OBSERVER PROGRAM
Shellfish/Groundfish FY87
Proposed Expenditures

LINE ITEM

<u>100 Personal Services</u>	<u>COST</u>
FB I - 6.0 MM @ 2518/mo.	\$ 15.1
FT III - 64.6 MM @ \$2185/mo.	140.9
900 hrs. sea pay @ 16.78/hr (2 FB I's)	15.1
7316 hrs. sea pay @ 13.14/hr (18 FT III's)	96.1
	267.2
Employee Benefits @ 33%	88.1
Total	\$355.3
 <u>200 Travel</u>	
18 Roundtrip Kodiak-Dutch Harbor @ \$854	\$ 15.4
1080 days per diem on vessels @ 20	21.6
6 days commercial per diem @ \$80	0.5
Total	\$ 37.5
 <u>300 Contractual Services</u>	
Xerox charges	\$.6
Contingency inter-island air charter	1.0
Telephone charges	0.8
Printing of forms	0.2
Computer supplies	0.6
Total	\$ 3.2
 <u>400 Commodities</u>	
Sampling Equipment:	
Plastic baskets	\$.5
Scales	.5
Repair & equipping of survival equipment	.6
Misc. sampling equipment	.4
Raingear	.5
Professional and scientific supplies	1.5
Total	\$ 4.0
 GRAND TOTAL	 \$400.0

GENERAL PROVISIONS

5 AAC 39.141. ONBOARD OBSERVER PROGRAM. (a) The Board of Fisheries finds that, in particular fisheries, observers on board fishing vessels would greatly enhance management, primarily by facilitating information gathering, and by improving regulatory compliance. Onboard observers may be the only practical fishery monitoring, data-gathering, or enforcement mechanism in some Alaska fisheries where a large component of vessels, such as catcher/processors and floating processors, rarely or never enter Alaskan ports. The Board of Fisheries, therefore, finds it necessary to authorize the Alaska Department of Fish and Game to implement onboard observer programs in particular fisheries when the board determines that it

(1) is the only practical data-gathering or enforcement mechanism;

(2) will not unduly disrupt the fishery; and

(3) can be conducted at a reasonable cost.

(b) Onboard observers of the Departments of Public Safety and Fish and Game shall have free and unobstructed access to inspect the catch, equipment, gear or operations of the fishing vessel, tender or processor to which assigned while that vessel is

(1) within waters under the jurisdiction of the state;

(2) taking or intending to take any species of fish; or

(3) transporting or processing any species of fish.

(c) Onboard observers must be as unintrusive to vessel operations as practicable and must make the scheduling and scope of their activities predictable and practicable.

(d) Onboard observers are not required to obtain criminal or administrative search warrants to conduct their duties.

(e) Onboard observers shall carry out such scientific and other duties as deemed necessary or appropriate to manage, protect, maintain, improve, and extend the fish and aquatic plant resources of the state.

Authority: AS 16.05.251

5 AAC 39.145. ESCAPE MECHANISM FOR SHELLFISH AND BOTTOMFISH POTS. A sidewall of all shellfish and bottomfish pots must contain an opening with a perimeter equal to or exceeding one-half of the tunnel eye opening perimeter. For shrimp pots, the opening may be on the top of the pot. The opening must be laced, sewn, or secured together by untreated cotton twine or other natural fiber no larger than 120 thread. Dungeness crab and shrimp pots may have the pot lid tie-down strips secured to the pot at one end by untreated cotton twine no larger than 120 thread, as a substitute for the above requirement.

Authority: AS 16.05.251
AS 16.10.125

MEMORANDUM

State of Alaska

DRAFT

TO: Molly McCammon
Special Staff Assistant
Office of the Governor

DATE: February 4, 1986

FILE NO:

TELEPHONE NO: 465-4100

FROM: Steven Pennoyer
Deputy Commissioner
Department of Fish and Game

SUBJECT: Onboard Observer Bills,
SB 79, and HB 355

Enclosed is a bill analysis and fiscal note for HB 355, Representative Thompson's onboard observer bill. It is identical to the department's bill, SB 79, except that it contains no provision to fund the observer program through a fee structure system, or any other method.

During the last few years, there has been a growing interest, on the part of the public and the federal and state agencies, to develop an onboard observer program for the domestic fisheries. All feel that such a program is needed to provide basic biological data, particularly in the case of groundfish, as the domestic fleet replaces the foreign fleet. Observers can also be used to enforce regulations, such as those dealing with size and sex restrictions in the king and Tanner crab fisheries. Any effective observer program will have to be legally achievable in both federal and state waters and be funded.

The Magnuson Fishery Conservation and Management Act (MFCMA) allows the federal government to place observers on domestic fishing vessels. This authorization is by statute so does not require implementing regulations. The Board of Fisheries has authority to require onboard observers by regulation. Both the board and the North Pacific Fishery Management Council in 1984 decided to work towards a goal of complimentary onboard observer programs in state and federal waters. Since the regulatory mechanisms are in place, the major hurdle has been funding.

The department, in conjunction with the Department of Law, developed SB 79 as the state's answer to the funding problem. The primary purpose of that bill is to provide a source of funding, via permit fees, for the program. Declining revenues have caused reductions in operational budgets. The department cannot fund the observer program without taking cuts in other ongoing projects of high priority to the management of established fisheries. One option is for the program to fund itself. Originally, we thought this concept might be feasible. As it turns out, we are now unsure. The federal government cannot use such a fee structure to fund a domestic observer program since it is forbidden by the MFCMA. If the state accepts the king crab delegation, and I believe we will, we

*The Magnuson Fishery Conservation
& Management Act*

February 4, 1986

most likely will fall under that prohibition. Since the king crab fishery is one of the two fisheries most in need of observer, this loss of a funding source will gut the program. Additionally, there seems to be a great deal of opposition from fishermen and processors for a fee structure. They are saying the state should fund the program out of current revenue sources.

The bottom line is that there is no money for an onboard observer program in the FY 86 or FY 87 budget. The department priority for such a program is above the increment level, and it is very unlikely the Legislature will approve a permit fee structure. Since the Board of Fisheries has already adopted a program identical to that suggested in the bill, the legislation is no longer necessary for the department to legally implement such a program if funds were made available.

The key point to get across to the Legislature and the public is that passage of either bill, without some funding source, will not cure the problems they perceive are happening.

The enclosed fiscal note and proposal reflect the minimum level observer program that both we and the Board of Fisheries feel is needed to provide basic coverage of current fisheries. Any increase in the king and Tanner crab harvests or implementation of additional prohibited species catch levels in the groundfish fisheries would require increased funding above the level in the fiscal note.

Enclosures

cc: J. Ayers
B. Clasby
K. Parker

KODIAK FISH & GAME ADVISORY COMMITTEE
211 Mission Rd.
Kodiak, Alaska 99615

January 7, 1986

JAN 13 1986,

Alaska State Board of Fish
Box 3-2000
Juneau, Alaska 99802

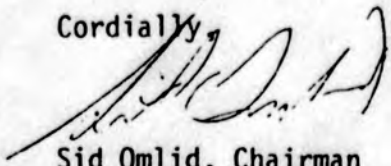
Dear Board Members,

The Kodiak Fish & Game Advisory committee met on January 3, 1986 to discuss time and area closures for trawl gear in king crab sensitive areas. Approximately seventy eight people were in attendance. As mentioned in our January 4 letter to you, the K.A.C. recommends specific time and area closures for hard on the bottom trawling and strongly urges protection of Kodiak's rebuilding king crab stocks.

One important issue discussed was ADF&G funding for observers on trawl vessels to document incidental catch statistics on all species, i.e. salmon, halibut, tanner crab, etc. The K.A.C. voted unanimously, vote 9-0, to put pressure on the ADF&G and the legislature stressing the importance of obtaining funds for observer programs for all fisheries which ADF&G needs to obtain incidental catch information.

It was brought to the K.A.C. attention that \$100,000 in fines from the "Baranof case" was earmarked to be spent on observers. The committee is also aware that in most cases fines from violations are deposited directly into the state's general fund. However, in this case, since the \$100,000 from the "Baranof case" has been specifically earmarked already for use in funding observers, the K.A.C. requests your assistance in assuring this much needed observer money does not get deposited into the General Fund but into the ADF&G observer program.

Cordially,



Sid Omlid, Chairman
Kodiak Fish & Game Advisory Committee

cc Governor Sheffield
Don Collinsworth, Commissioner ADF&G
Senator Fred Zharoff
Representative Dave Thompson



BUSINESS • FISHERMEN • PROCESSORS • INDIVIDUALS

ALASKA COASTAL COMMUNITIES ALLIANCE

P.O. Box 382 Kodiak, Alaska 99615 Phone (907) 486-5096

Kevin O'Leary

*486-5096
try after 4:00*

March 21, 1985

Senator Arliss Sturgulewski
Senate Resources Committee
Pouch V (NS 3100)
Juneau, Alaska 99811

Dear Senator Sturgulewski,

The Alaska Coastal Communities Alliance would like to express its support for Senate Bill 79 which would authorize an onboard observer program on certain fishing vessels engaged in Alaskan fisheries. We agree that direct benefits would be derived through enhanced management, more reliable data gathering, and improved compliance.

In addition to the obvious improved enforcement and compliance, the data gathered could certainly aid in the management of a particular fishery or fisheries. New knowledge gained could include, but definitely not limited to; predator-prey relationships between species of different fisheries, the effects that catching non-targeted species (incidental catch) have on one fishery by another fishery, the optimum timing or area of harvesting a given fishery to reduce any impact on other fisheries or to enhance the impact on the primary fishery, the benefits of a total ecological approach to managing a fishery versus a single species approach, and of course many other areas of needed new information.

Of particular concern to many fishermen and processors lately is the predator-prey and incidental catch relationships between fisheries. Examples of some questions that reflect on these relationships are in the following sentences. If one fishery targets on and harvests a predator species, does it directly enhance the yields and fortunes of another fishery engaged in harvesting a prey species? If one fishery takes a proportionately high incidental catch of a species being targeted on by another fishery, does it significantly detract from the yields and fortunes of the other fishery? We feel these and other questions could best be answered through the implementation of an onboard observer program.

Our support for the onboard observer program is not without qualifications however. First and foremost among these is the addition of subsection 14(D) to section 2AS 16.05.050 dealing with fees being assessed to the operators of vessels within the given fishery to pay for the onboard observer program. We are adamant and unanimous in our opposition to the assessment of any new and extraneous fees to cover the cost of this program. We feel the operators of these vessels and processors are currently paying sufficient fees (such as gear, vessel, and crew licenses, and etcetera) and taxes to support this and other management programs. We further feel that with the improved compliance resulting from this program the State should realize particular cost

Sens:or Arliss Sturgulewski
March 21, 1985
Page 2

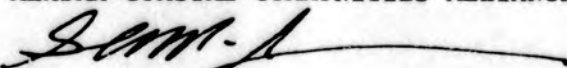
savings through reduced enforcement burden and overhead. Again, we ask that the offending 14(D) subsection be stricken from this bill.

A related area of concern is the increased operational costs incurred by the vessel operator due directly to the onboard observer program. We feel an actual reimbursement to these vessel operators needs to be considered. An example being the cost of food. Some operators pay insurance premiums based on crew size and with the addition of an observer onboard could be liable for increased insurance costs. Costs which we might add are already out of reach of some vessel operators and owners. In the case of insurance, simple reimbursement of increased premiums is not enough. We feel that the State should bear the full liability for the observer beyond the gross negligence of the operator or vessel owner. Some sort of hold-harmless clause protecting the vessel operators from frivolous or occupational related lawsuits needs to be considered to make this bill palatable to the majority of our fishermen.

If the above concerns are addressed then we feel we can be wholeheartedly behind the passage of Senate Bill 79. This bill properly enacted could go a long ways toward enhancing and protecting the various fisheries of Alaska.

In closing we wish to thank you for taking the time to consider this letter and wish you the very best in your decisions and deliberations. Again, thank you.

Sincerest Regards,
ALASKA COASTAL COMMUNITIES ALLIANCE



Slim M. Jorgensen
Member-Director

cc: Alliance's Member Organizations
Representative David W. Thompson
Senator Fred F. Zharoff

Domestic Observers: Is it Time to Start Watching Ourselves?

by John van Amerongen

"I feel like a doctor trying to find the cure for AIDS." That's how fisherman Bart Eaton described his frustration at the first meeting of the NPFMC workgroup on domestic observers. The seven-man team met in Seattle October 14 at the Wharf restaurant.

The challenge for the workgroup is to come up with a method for implementing observer coverage on U.S. vessels operating within the 200-mile FCZ. It's an ironic twist to the whole concept of Americanization—once the foreigners have gone, we have to start watching ourselves.

Since the Magnuson Act was amended in 1982 and provisions were made for an observer surcharge to foreign fleets, the NMFS goal has been to place an observer on every foreign fishing vessel. Actual coverage is somewhat less. During 1984 the Foreign Fisheries Observer Program provided more than 24,000 days of observer coverage on foreign and joint-venture fisheries. Actual coverage attained in the Bering Sea-Aleutians amounted to 86.3 percent and Gulf of Alaska coverage was better than 90 percent.

The federally mandated role of

the observer on a foreign vessel is twofold. Not only is he present to record catch data, but he is also there to ensure the vessel is operated in accordance with current U.S. fishery regulations.

As observers train their binoculars from the foreign to the domestic fleet, three key questions must be answered: 1) Will domestic observers continue to be both biologists and policemen? 2) How many will be needed to adequately cover the domestic fleet? 3) Who's going to pay for them? These questions, of course, are predicated on the assumption that observers are necessary at all.

Why do we need observers on U.S. vessels? According to Russ Nelson, who coordinates the NMFS observer program at the Northwest and Alaska Fisheries Center, observer data is necessary to round out and verify the data collected by NOAA vessels on their annual stock assessment surveys. As fishermen themselves often argue, survey data does not always mirror information collected from actual fishing vessels involved in an ongoing fishery.

Nelson, who did not attend the October meeting, admits that observers aren't necessary for all information on the domestic catch. Data on the total retained catch is

generally available when domestic vessels off-load, particularly when they off-load unprocessed fish.

When the catch is filleted, formed, or minced, however, it becomes much more difficult to generate information on the size, sex and age composition of the catch. Nevertheless, the focus isn't just on catcher/processors. Important data on incidental catches and discards of prohibited and low-quota species need to represent all vessels in the fishery if it's to be accurate. And accuracy counts.

If biologists and fishery managers don't get enough information, as Nelson puts it, "They have to live with the data they have."

According to Nelson, there are data gaps already developing as a result of Americanization. A prime area of concern right now is Shelikof Strait. Both foreign and joint-venture fisheries will likely be eliminated next year due to a decline in pollock stocks and an increase in domestic effort.

Shelikof stock assessments in the past have been based on a combination of survey and foreign observer data. Said Nelson, "For the past 4-5 years we've used both sources." Soon there will be no foreign observer data on that fishery, one less piece in the puzzle.

Faced with a shortage of verifiable data, managers take a more cautious, conservative approach to OY figures and quotas—at least that's what fishermen claim. Since nobody wants to take responsibility for wiping out a resource, ties go to the fish, not the fishermen.

Better domestic coverage, some argue, would not only decrease the possibility of a manmade resource disaster, but it would likely result in more liberal quotas for verifiably healthy stocks. Accurate recording might also open the door to retention of non-target species that would otherwise have to be discarded. That's the bottom-line reason for fishermen to support the domestic observer program—but unfortunately, nothing is simple.

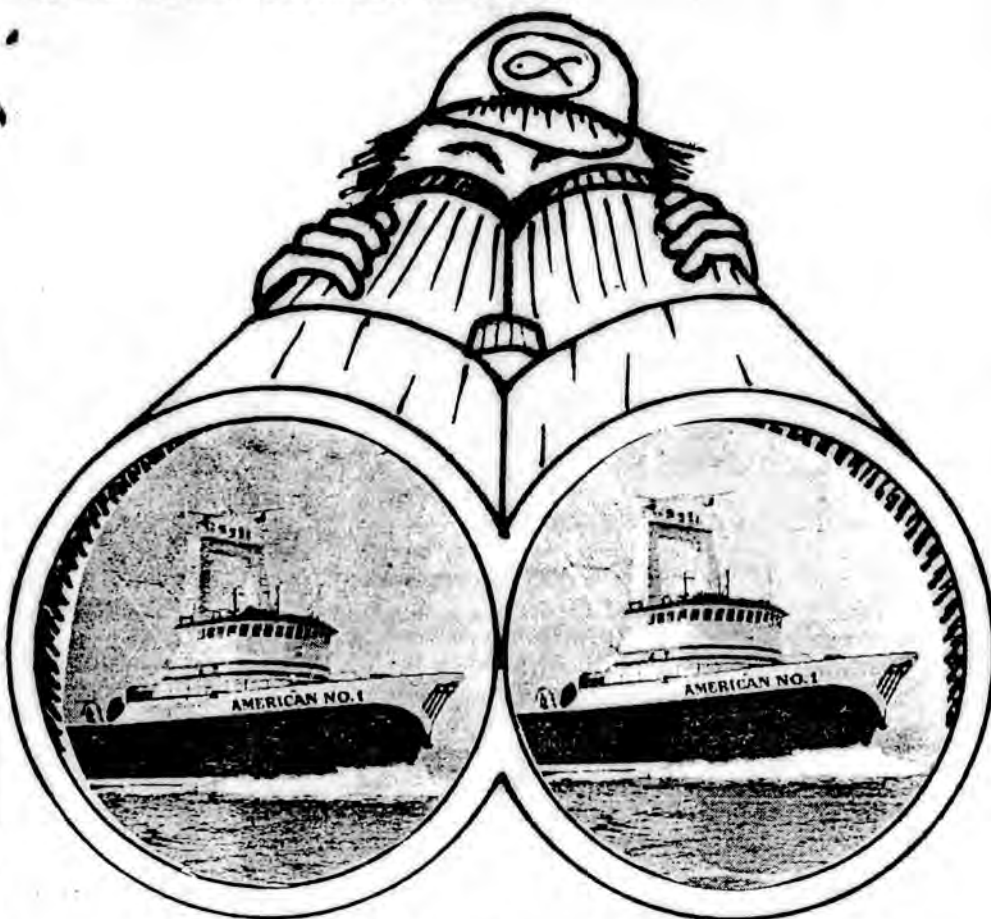
As Councilman Rudy Peterson put it, "It's a tough nut."

The first tough question is whether domestic observers should also be policemen. Most of those attending the October workgroup meeting agreed that fishermen would not likely welcome a Big Brother onboard.

Councilman Oscar Dyson questioned whether it would be reasonable to expect observers to report violations by domestic fishermen. "Unless the observer is trained," Dyson noted, "you put him in a hostile environment... he's not going to do it."

Bob Alverson, chairman of the workgroup, noted that observers and their logs would be subject to subpoena, whether the intent was scientific, or not.

The next big question deals with observer coverage. Just how many



If biologists and fishery managers don't get enough information . . . they have to live with the data they have.

observers would it take to handle the domestic fishery? According to Russ Nelson, and these were his personal ideas, "somewhere between 25 and 30 percent" coverage would be enough to get a scientific picture of the catch.

Nelson's estimate was a far cry from Oscar Dyson's suggestion to keep one observer in Kodiak year round and assign him to special target fisheries as needed. Dyson's philosophy was to "start small . . . and see where it goes."

One observer would be enough, said Nelson, if he were sampling a four-boat fishery. Larger fleets would require more observers to obtain a statistically representative sampling. Said Nelson, "You need to get enough to make some judgments about the data you get."

If you want observers to be enforcement officers in the domestic

fishery, coverage would have to be closer to 100 percent, Nelson said. It's safe to say that would cause a more than small rumble in the fishing community, especially if fishermen had to pay for the service themselves. And that brings up the third big question: Who's going to pay for this?

Foreign fleets pay for the observers on their own vessels through the observer surcharge authorized by Congress in 1982, but there are no funds currently available to fund domestic observers. Some fishermen think the federal government should pick up the tab for Americanization of the observer program, but Rudy Peterson thinks the Feds have other ideas.

Commenting on the federal trend toward user fees, Peterson said, "I don't think anybody in government has any other idea than this (fund-

ing) coming out of the industry."

That makes the nut particularly tough, especially when you figure in insurance cost. Some consider insurance liability the ultimate roadblock to the implementation of the program. Given the large awards available to crewmen injured at sea, what's to prevent an injured observer—or worse, the family of a dead observer—from suing the vessel owners for millions? The question has yet to be answered fully.

Bob Alverson brought with him some estimates of liability insurance premiums. According to Alverson, \$2 million worth of liability insurance for one observer on a dragger in the Bering Sea would cost the vessel owner about \$1800 a month. That's just for the insurance; the cost of the observer would be extra.

There are some in the industry who claim nothing will happen until the insurance crisis is solved. Still, there are plenty of other questions to be answered: Is this just a program for draggers, or are pot vessels and longliners eligible as well? Surely longliners would benefit from closer scrutiny of dragger bycatch, so wouldn't they be considered users and share the cost? What about salmon fishermen and crabbers? What if there isn't a bunk available for the observer? What if the skipper refuses to take an observer aboard? Who's going to administer the program, the Council or NMFS? And what if the Council can't get the information it needs to make sound management decisions?

Fishermen with answers, opinions, or further questions about the domestic observer program can attend the next meeting of the domestic observer workgroup to be held in conjunction with the Anchorage meeting of the North Pacific Fishery Management Council. Call the Council office (907) 274-5467 for time and location. Those not able to attend can send written comments to Ron Miller at the Council office (P.O. Box 103163, Anchorage 99501) or contact the following workgroup members: Bob Alverson, Rudy Peterson, Bart Eaton, John Winther, Barry Fisher or Oscar Dyson. □



Official Business

Alaska State Legislature

House of Representatives

Special Committee on Fisheries

Pouch V
Juneau, Alaska 99811

Phone:
(907) 465-4924

February 18, 1986

Mr. Anthony Calio
NOAA Administrator
U.S. Department of Commerce
14th and Constitutional Avenue N.W.
Washington, D.C. 20730

Dear Mr. Calio:

The House Special Committee on Fisheries today approved legislation that would authorize an on-board observer program for domestic fishing vessels operating in Alaska waters. Since this is an issue of great concern to Alaska's fishing community, we are optimistic that the measure will be approved before the legislature adjourns in May.

We have directed the Alaska Department of Fish and Game to study methods of providing continuing funding for this program so it will not be solely dependent upon tax dollars in future years. The department also will be working closely with federal officials to ensure that we have a consolidated observer program in waters under state and federal jurisdictions.

The pilot program authorized by House Bill 355 will cost \$300,000, but this falls far short of covering the basic immediate need for observer coverage on domestic fishing vessels in Alaska's 200-mile zone. Consequently, we strongly urge your endorsement of a request by the Alaska office of the National Marine Fisheries Service to allocate \$250,000 for a pilot domestic observer program.

We hope to be working closely with the federal government in the structuring of a comprehensive on-board observer program that is funded through a variety of sources. Approval of these two pilot projects is essential to the establishment of a framework for an ongoing, cooperative effort.

Mr. Anthony Calio
February 18, 1986
Page Two

Again, we strongly urge your support of the \$250,000 NMFS pilot domestic fishing vessel observer program for Alaska waters. Thank you for your consideration of our request.

Sincerely,

Peter Goll
Chairman

c.c. Senator Ted Stevens
 Senator Frank Murkowski
 Representative Don Young

STATE OF ALASKA 1986 LEGISLATIVE SESSION

FISCAL NOTE

Revision Date: 2/14/86

REQUEST

Bill/Resolution No.: HB 355
 Title: ... Authorizing the
establishment of onboard observer
programs ...
 Sponsor: Thompson
 Requestor: House Special Comm. on Fisheries
 Date of Request: 2/14/86

FISCAL DETAIL

Agency Affected: Fish & Game
 BRU: Fisheries Resource Conservation
 Components: Commercial Fisheries

EXPENDITURES/REVENUES : (Thousands of Dollars)

OPERATING	FY 86	FY 87	FY 88	FY 89	FY 90	FY 91
PERSONAL SERVICES		278.2	313.5	353.3	398.2	448.8
TRAVEL		18.0	20.3	22.8	25.7	29.0
CONTRACTUAL		2.2	2.5	2.8	3.2	3.6
SUPPLIES		2.8	3.2	3.6	4.1	4.6
EQUIPMENT		-0-	-0-	-0-	-0-	-0-
LAND & STRUCTURES		-0-	-0-	-0-	-0-	-0-
GRANTS, CLAIMS		-0-	-0-	-0-	-0-	-0-
MISCELLANEOUS		-0-	-0-	-0-	-0-	-0-
TOTAL OPERATING		301.2	337.0	382.5	431.2	486.0

CAPITAL						
---------	--	--	--	--	--	--

REVENUE						
---------	--	--	--	--	--	--

FUNDING : (Thousands of Dollars)

GENERAL FUND		101.2	-0-	-0-	-0-	-0-
FEDERAL FUNDS						
OTHER		200.0	337.0	382.5	431.2	486.0
TOTAL		301.2	337.0	382.5	431.2	486.0

POSITIONS :

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS : Attach a separate page if necessary

*(See attached sheet)

Prepared by: Robert C. Clashy
 Division: Commercial Fisheries

Phone: 465-4210

Date: 2/14/86

Approved by Commissioner: [Signature]
 Agency: Fish and Game

Date: 2/18/86

Distribution (by Agency preparing fiscal note):

Legislative Finance
 Legislative Sponsor
 Requestor
 Office of Management and Budget
 Impacted Agency(ies)

Analysis:

This fiscal note shows a reduction in expenses and change in funding source from the fiscal note dated 2/4/86. The expenditures have been reduced by 98.8 thousand dollars for FY 87, and reflected through FY 91, based on the assumption that the NMFS will fund an onboard observer program for the Pacific cod fishery in the Bering Sea. The funding sources have been changed to show 200.0 thousand dollars as coming from the Fish and Game fund. This change is based on the assumption that the 200.0 thousand dollars from the civil settlement of the Baranof case will be approved by Legislative Budget and Audit for expenditure on the onboard observer program for FY 87. The "other" funding source for FY 88 through FY 89 is based on the assumption that the State of Alaska and the Federal Government will develop a funding mechanism that is acceptable to the fishing industry and will ensure adequate coverage of fisheries that take place in both state and federal waters.

Salmon catch sampling, such as the program for the South Unimak and Shumagin Islands fishery, is not covered under this fiscal note, as that program is funded under the Division of Commercial Fisheries operational budget.



Official Business

Alaska State Legislature

House of Representatives

Special Committee on Fisheries

Pouch V
Juneau, Alaska 99811

Phone:
(907) 465-4924

M E M O R A N D U M

February 8, 1986

TO: Members, House Special Committee on Fisheries

FROM: Representative Peter Goll *P. Goll*

SUBJECT: House Bill 355 (Onboard Observer Program)

House Bill 355 authorizes and funds an onboard observer program for the domestic fishing fleet under state jurisdiction. It will be considered at a public hearing at 8:30 a.m. Tuesday, February 11.

The legislation allows the state of Alaska to require that certain fishing operations have on-board observers hired by the state. The observers monitor catches coming aboard the vessel to gather biological information and to enforce some regulations.

The federal government now requires observers on foreign fishing operations in our 200-mile zone. The cost of the federal observer program is paid by the foreign fishermen through a fee process. The need for a program placing observers on domestic fishing vessels is a source of concern as American fishermen displace the foreign fleets in our offshore fisheries.

Under the terms of the Magnuson Fisheries Conservation Management Act, the federal government is precluded from assessing U.S. fishermen for more than the basic costs of administering the program. Their fees cannot be used to pay observer salaries, provide insurance coverage for sea duty or cover training costs.

The National Marine Fisheries Service recently submitted a \$250,000 request to fund a pilot domestic observer programs, but the cost-cutting atmosphere currently surrounding the federal budgeting process raises many questions about whether the project will be funded.



Official Business

Alaska State Legislature

House of Representatives

Special Committee on Fisheries

Pouch V
Juneau, Alaska 99811

Phone:
(907) 465-4924

M E M O R A N D U M

February 13, 1986

TO: Representative Peter Goll
FROM: Rodger Painter
SUBJECT: Amendments to HB 355

Page 5, lines 11-18, replace existing language with the following:

(12) requiring, in a fishery, observers on board fishing vessels, as defined in AS 16.05.475(d), that are registered under the laws of the state, as defined in AS 16.05.475(c), after making a written determination that an onboard observer program

(A) is a practical data-gathering or enforcement mechanism for that fishery;

(B) will not unduly disrupt the fishery;

(C) can be conducted at a reasonable cost; and

(D) can be coordinated with observer programs promulgated by other agencies, including the National Marine Fisheries Service, North Pacific Fishery Management Council and the International Pacific Halibut Commission.

Page 1, line 21, make the following change after "(1) is":

[THE ONLY] a

Page 5, line 26, add a new section 5 as follows and renumber accordingly:

* Sec. 5. AS 16.05.055. ONBOARD OBSERVER PROGRAM. The commissioner may enter into appropriate contracts and agreements with other agencies, such as the National Marine Fisheries Service, North Pacific Fishery Management Council and the International Pacific Halibut Commission, designed to ensure onboard observer programs conducted in the fisheries off Alaska are coordinated and consistent for vessels operating in state and federal waters.

HB 355 Amendments
February 14, 1986
Page Two

Page 5, line 26, add the following language to session law:

The Legislature finds that it is important to explore long-term financing mechanisms that ensure a stable onboard observer program not solely dependent upon state and federal appropriations. The legislature believes that the program should be funded through a variety of sources. The legislature also finds it critical that fishing vessels within state and federal waters are subject to identical regulations, permits and fees. To this end, the commissioner of the Department of Fish and Game shall study funding and jurisdictional issues and report back to the legislature with his findings and recommendations no later than January 31, 1987.

Original sponsors: Thompson, Goll
and Binkley

1 IN THE HOUSE

BY THE HOUSE SPECIAL
COMMITTEE ON FISHERIES

2 CS FOR HOUSE BILL NO. 355 (Fisheries)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FOURTEENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act authorizing the establishment and implementa-
7 tion of on-board observer programs; and providing for
8 an effective date."

9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

10 * Section 1. FINDINGS. (a) The legislature finds that, in particular
11 fisheries, observers on board fishing vessels would greatly enhance manage-
12 ment, primarily by facilitating information gathering, and additionally by
13 improving compliance. In fact, in those fisheries, on-board observers may
14 be the only practical data-gathering or enforcement mechanism. Some Alaska
15 fisheries include a large component of vessels, such as catcher/processors
16 and floating processors, that rarely or never enter Alaskan ports. These
17 situations are virtually impossible to monitor without the systematic
18 coverage of observers actually on board. The legislature therefore finds
19 it necessary to authorize the Board of Fisheries to establish, and the
20 Department of Fish and Game to implement, on-board observer programs in
21 particular fisheries if the board determines that it (1) is a practical
22 data-gathering or enforcement mechanism, (2) will not unduly disrupt the
23 fishery, and (3) can be conducted at a reasonable cost. The board may
24 require observers on board vessels registered under the laws of the state,
25 even if the vessels do not take fish within three miles of shore, because
26 the catch beyond three miles can have significant impact upon state manage-
27 ment considerations. A search warrant, criminal or administrative, should
28 not be required in the implementation of a program, since the process of
29 obtaining one would be so cumbersome as to defeat the purpose of the

1 program.

2 (b) The legislature finds that it is important to explore long-term
3 financing mechanisms that ensure a stable on-board observer program not
4 solely dependent upon state and federal appropriations. The legislature
5 believes that the program should be funded through a variety of sources.
6 The legislature also finds it critical that fishing vessels in state and
7 federal waters be subject to identical regulations, permits, and fees.

8 * Sec. 2. AS 16.05.050 is amended to read:

9 Sec. 16.05.050. POWERS AND DUTIES OF COMMISSIONER. The commis-
10 sioner has, but not by way of limitation, the following powers and
11 duties:

12 (1) assist the United States Fish and Wildlife Service in
13 the enforcement of federal laws and regulations pertaining to fish and
14 game;

15 (2) through the appropriate state agency, acquire by gift,
16 purchase, or lease, or other lawful means, land, buildings, water,
17 rights-of-way, or other necessary or proper real or personal property
18 when the acquisition is in the interest of furthering an objective or
19 purpose of the department and the state;

20 (3) design and construct hatcheries, pipelines, rearing
21 ponds, fishways, and other projects beneficial for the fish and game
22 resources of the state;

23 (4) accept money from any person under conditions requiring
24 the use of the money for specific purposes in the furtherance of the
25 protection, rehabilitation, propagation, preservation, or investiga-
26 tion of the fish and game resources of the state or in settlement of
27 claims for damages to fish or game resources;

28 (5) collect, classify, and disseminate statistics, data and
29 information that, in the commissioner's discretion, will tend to

1 promote the purposes of this title except AS 16.51 and AS 16.52;

2 (6) capture, propagate, transport, buy, sell, or exchange
3 fish or game or eggs for propagating, scientific or stocking purposes;

4 (7) provide public facilities where necessary or proper to
5 facilitate the taking of fish or game, and enter into cooperative
6 agreements with any person to effect them;

7 (8) exercise administrative, budgeting, and fiscal powers;

8 (9) construct, operate, supervise, and maintain vessels
9 used by the Department of Fish and Game;

10 (10) authorize the holder of an interim-use permit under
11 AS 16.43 to engage on an experimental basis in commercial taking of a
12 fishery resource with vessel, gear, and techniques not presently
13 qualifying for licensing under this chapter in conformity with stan-
14 dards established by the Alaska Commercial Fisheries Entry Commission;

15 (11) not later than January 31 of each year, provide to the
16 commissioner of revenue the names of those fish and shellfish species
17 which the commissioner of fish and game designates as developing
18 commercial fish species for that calendar year; a fish or shellfish
19 species is a developing commercial fish species if, within a specified
20 geographical region,

21 (A) the optimum yield from the harvest of the species
22 has not been reached;

23 (B) a substantial portion of the allowable harvest of
24 the species has been allocated to fishing vessels of a foreign
25 nation; or

26 (C) a commercial harvest of the fish species has
27 recently developed;

28 (12) initiate or conduct research necessary or advisable to
29 carry out the purposes of this title except AS 16.51 and AS 16.52;

1 (13) enter into cooperative agreements with agencies of the
2 federal government, educational institutions, or other agencies or
3 organizations, when in the public interest, to carry out the purposes
4 of this title except AS 16.51 and AS 16.52;

5 (14) implement an on-board observer program authorized by
6 the Board of Fisheries under AS 16.05.251(a)(12); implementation

7 (A) must be as unintrusive to vessel operations as
8 practicable;

9 (B) must make scheduling and scope of observers'
10 activities as predictable as practicable; and

11 (C) does not require criminal or administrative search
12 warrants.

13 * Sec. 3. AS 16.05 is amended by adding a new section to read:

14 Sec. 16.05.055. ON-BOARD OBSERVER PROGRAM. The commissioner may
15 enter into appropriate contracts and agreements with agencies, such as
16 the National Marine Fisheries Service, North Pacific Fishery Manage-
17 ment Council, and the International Pacific Halibut Commission, de-
18 signed to ensure that on-board observer programs conducted in the
19 fisheries of the state are coordinated and consistent with each other
20 for vessels operating in state and federal water.

21 * Sec. 4. AS 16.05.251(a) is amended to read:

22 (a) The Board of Fisheries may adopt regulations it considers
23 advisable in accordance with the Administrative Procedure Act (AS 44.-
24 62) for

25 (1) setting apart fish reserve areas, refuges and sanctu-
26 aries in the waters of the state over which it has jurisdiction,
27 subject to the approval of the legislature;

28 (2) establishing open and closed seasons and areas for the
29 taking of fish;

1 (3) setting quotas, bag limits, harvest levels, and sex and
2 size limitations on the taking of fish;

3 (4) establishing the means and methods employed in the
4 pursuit, capture and transport of fish;

5 (5) establishing marking and identification requirements
6 for means used in pursuit, capture and transport of fish;

7 (6) classifying as commercial fish, sport fish or predators
8 or other categories essential for regulatory purposes;

9 (7) watershed and habitat improvement, and management,
10 conservation, protection, use, disposal, propagation and stocking of
11 fish;

12 (8) investigating and determining the extent and effect of
13 disease, predation, and competition among fish in the state, exercis-
14 ing control measures considered necessary to the resources of the
15 state;

16 (9) prohibiting and regulating the live capture, posses-
17 sion, transport, or release of native or exotic fish or their eggs;

18 (10) establishing seasons, areas, quotas and methods of
19 harvest for aquatic plants;

20 (11) establishing the times and dates during which the
21 issuance of fishing licenses, permits and registrations and the trans-
22 fer of permits and registrations between registration areas is al-
23 lowed; however, this paragraph does not apply to permits issued or
24 transferred under AS 16.43;

25 (12) requiring, in a fishery, observers on board fishing
26 vessels, as defined in AS 16.05.475(d), that are registered under the
27 laws of the state, as defined in AS 16.05.475(c), after making a
28 written determination that an on-board observer program

29 (A) is the only practical data-gathering or

1 enforcement mechanism for that fishery;

2 (B) will not unduly disrupt the fishery;

3 (C) can be conducted at a reasonable cost; and

4 (D) can be coordinated with observer programs of other
5 agencies, including the National Marine Fisheries Service, North
6 Pacific Fishery Management Council, and the International Pacific
7 Halibut Commission.

8 * Sec. 5. AS 16.05.940 is amended by adding a new paragraph to read:

9 (28) "fishery" means a specific administrative area in
10 which a specific fishery resource is commercially taken with a speci-
11 fic type of gear; however, the Board of Fisheries may designate a
12 fishery to include more than one specific administrative area, gear
13 type, or fishery resource; in this paragraph "gear" and "type of gear"
14 have the meanings given in AS 16.43.990.

15 * Sec. 6. In order to further the goals set out in sec. 1(b) of this
16 Act, the commissioner of fish and game shall study funding and jurisdic-
17 tional issues related to the on-board observer programs, and submit a
18 report on the matter to the legislature not later than January 31, 1987.

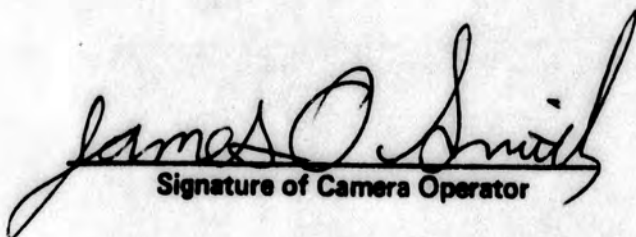
19 * Sec. 7. This Act takes effect immediately in accordance with AS 01.-
20 10.070(c).



RECORDS CERTIFICATION



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Date

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#48:22

1 IN THE HOUSE

BY THE HOUSE SPECIAL
COMMITTEE ON FISHERIES

2 CS FOR HOUSE BILL NO. 411 (Fisheries)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FOURTEENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the composition of the Board of
7 Fisheries and the Board of Game."

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

9 * Section 1. AS 16.05.221 is amended to read:

10 Sec. 16.05.221. BOARDS OF FISHERIES AND GAME. (a) For purposes
11 of the conservation and development of the fishery resources of the
12 state, there is created the Board of Fisheries composed of seven
13 members appointed by the governor, subject to confirmation by a major-
14 ity of the members of the legislature in joint session. The appointed
15 members shall be residents of the state who are knowledgeable about
16 the allocation and use of fisheries resources. Members [AND] shall be
17 appointed without regard to political affiliation or geographical
18 location of residence. The commissioner is not a member of the Board
19 of Fisheries, but shall be ex officio secretary.

20 (b) For purposes of the conservation and development of the game
21 resources of the state, there is created a Board of Game composed of
22 seven members appointed by the governor, subject to confirmation by a
23 majority of the members of the legislature in joint session. The
24 appointed members shall be residents of the state who are knowledge-
25 able about the allocation and use of game resources. Members [, AND]
26 shall be appointed without regard to political affiliation or geo-
27 graphical location of residence. The commissioner is not a member of
28 the Board of Game, but shall be ex officio secretary.



STATE OF ALASKA
OFFICE OF THE GOVERNOR
BILL ANALYSIS

Game	DIVISION Boards	BILL NUMBER HB 411	SPONSOR Shultz
------	--------------------	-----------------------	-------------------

art <i>JD</i>	DATE	COMMISSIONER'S SIGNATURE <i>[Signature]</i>
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SUMMARY

FOR BY BILL Fish and Game	CONSTITUENT GROUP(S) AFFECTED BY BILL Hunters and fishermen
FOR BILL	ORGANIZATIONAL OPPOSITION TO BILL Unknown

☐ NONE ☐ FISCAL NOTE ATTACHED

INTENT

d in 1986 by Shultz and Marrou

IM EFFECTS

hed narrative.

Currently, the combined Boards of Fisheries and Game have members from each of the six fish and game resource regions, as follows:

REGION	GAME BOARD	FISHERIES BOARD
Southeast	Bennett (Juneau)	Garner (Juneau) Museth (Elfin Cove)
Southcentral	Massey (Girdwood) Scanlan (Anchorage) Jackson (Gakona)	Bonney (Anchorage)
Southwest	0	Angasan (Dillingham) Jolin (Kodiak)
Eastern	0	Foster (Quinhagak)
Arctic	Johnson (Nome)	0
Interior	Huntington (Galena) Van Ballenberghe (Fairbanks)	Carter (Fairbanks)

The Game Board has members from four regions, two from the Interior Region, two from the Southcentral Region, and one from the Arctic Region. The Fisheries Board has two members from the Southeast Region and one from all other regions except the Arctic Region.

STATE OF ALASKA 1986 LEGISLATIVE SESSION

FISCAL NOTE

Revision Date : _____

REQUEST

Bill/Resolution No. : HB 411
 Title : ... composition of the
Boards of Fisheries and Game
 Sponsor : Shultz & Marrou
 Requestor : House Fisheries Committee
 Date of Request : _____

FISCAL DETAIL

Agency Affected : Fish and Game
 BRU : Boards
 Components : Boards of Fisheries
and Game

EXPENDITURES/REVENUES : (Thousands of Dollars)

OPERATING	FY 86	FY 87	FY 88	FY 89	FY 90	FY 91
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	-0-	-0-	-0-	-0-	-0-	-0-

CAPITAL						
---------	--	--	--	--	--	--

REVENUE						
---------	--	--	--	--	--	--

FUNDING : (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER						
TOTAL						

POSITIONS :

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS : Attach a separate page if necessary

This bill is not expected to require an increased appropriation.

Prepared by : Beth Stewart
 Division : Boards

Phone : 465-4110

Date : _____

Approved by Commissioner : Don Collinsworth
 Agency : Fish and Game

Date : 2/18/86

Distribution (by Agency preparing fiscal note) :

Legislative Finance
 Legislative Sponsor
 Requestor
 Office of Management and Budget
 Impacted Agency(ies)

Alaska State Legislature

COMMITTEES

Co-Chairman — House Resources
Committee
Member — House Transportation
Committee



House of Representatives

Dick Shultz

While in Session:

P. O. Box V
State Capital
Juneau, Alaska 99811
Phone (907) 465-4951
465-4940

Home - SR 790
Tok, Alaska 99780

MEMORANDUM

TO: REP. PETER GOLL / CHAIRMAN SPECIAL COMMITTEE ON
FISHERIES

FROM: REP. DICK SHULTZ

DATE: FEB. 17, 1986

RE: HB 411

The new language that this bill would add to statute would bring about some very positive changes in the makeup of the Boards of Fish and Game.

Advisory Committees in my district have been very frustrated in having to deal with Board members who are not even basically familiar with the resources they are charged with allocating. Without resorting to citing specific individuals or embarrassing details, I would ask that your committee consider the wisdom in requiring Governors to appoint knowledgeable people to these Boards. Realizing that we can not prevent politically motivated appointments, I still believe our constituents will be better off if those appointees have some relevant background for the tasks that they are being charged to fulfill.

The other change this bill would make involves the selection of Board members from different geographic regions of the State. The idea here of course is to bring about better representation for each area of the State and as a result have Boards that are better able to deal with problems and interests that may be unique to each area. The idea is not dissimilar to the rationale used in the establishment of Senate or House Districts and I am sure few here would argue the merits of that system.

Thank you for your time and consideration on this legislation.

BILL SHEFFIELD
GOVERNOR



STATE OF ALASKA
OFFICE OF THE GOVERNOR
JUNEAU

TO: The Honorable Peter Goll
Alaska State Legislature
House of Representatives

DATE: February 17, 1986

FROM: Barbara A. Dale
Special Staff Assistant
to the Governor
Boards and Commissions

SUBJECT: House Bill 411

The Governor's office of Boards and Commissions does not support House Bill 411.

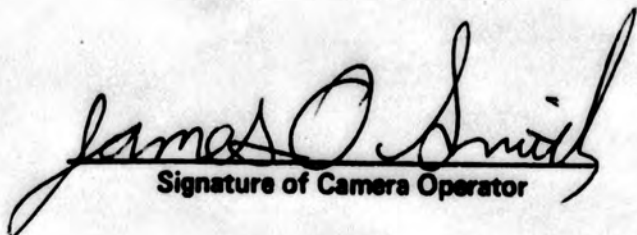
In order to provide the best possible options for public representation on boards and commissions it is unwise to limit the Governor's flexibility in making the best possible appointment. This bill attempts to limit the appointing authority of the executive branch and would place an undue burden on that authority.



RECORDS CERTIFICATION



I, the undersigned, an employee of the State of Alaska, do hereby certify that the microfilm images on this microform are accurate reproductions of the original records of the State of Alaska as accumulated during the regular course of business, and that it is the established policy and practice of this State to microfilm its records and to dispose of the original records after microfilm reproductions have been made.


Signature of Camera Operator


Date

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#48:23

STATE OF ALASKA 1986 LEGISLATIVE SESSION

FISCAL NOTE

Revision Date : _____

REQUEST

Bill/Resolution No. : HR 467
 Title : "an act relating to the herding of fish"
 Sponsor : Rep. Goll
 Requestor : House Fisheries
 Date of Request : 1/21/86

FISCAL DETAIL

Agency Affected : Public Safety
 BRU : Fish & Wildlife Protection
 Components : _____

EXPENDITURES/REVENUES : (Thousands of Dollars)

OPERATING	FY 86	FY 87	FY 88	FY 89	FY 90	FY 91
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING		0	0	0	0	0

CAPITAL						
---------	--	--	--	--	--	--

REVENUE						
---------	--	--	--	--	--	--

FUNDING : (Thousands of Dollars)

GENERAL FUND		0	0	0	0	0
FEDERAL FUNDS						
OTHER						
TOTAL						

POSITIONS :

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS : Attach a separate page if necessary

Prepared by : Kathy Niles, Administrative Ass't
 Division : Commissioner's Office

Phone : 465-4336
 Date : 1/17/86

Approved by Commissioner : [Signature]
 Agency : Public Safety

Date : 1-17-86

Distribution (by Agency preparing fiscal note) :

- Legislative Finance
- Legislative Sponsor
- Requestor
- Office of Management and Budget
- Impacted Agency(ies)

[illegible]

**HOUSE
COMMITTEE REPORT**

RESOURCES
JUDICIARY

Date referred: 1/17/86

FURTHER REFERRALS: FINANCE

DATE: _____

The HOUSE SPECIAL COMMITTEE
ON FISHERIES Committee has considered SSHB 467

"An Act relating to the herding of fish."

and recommends:

- ☐ do pass
☐ do not pass
☐ do pass with attached amendment(s)
☐ no recommendation
☒ replace with CS SSHB 467 ☒ same title
☐ new title

and recommends _____

☐ further referral to the _____ Committee

and attaches: ☐ letter of intent
☐ first fiscal note
☐ new fiscal note
☒ zero fiscal note

SIGNING DO PASS:

Peter J. ...
M. J. ... w/ amendments
John B. ... w/ am.

SIGNING OTHER RECOMMENDATIONS:

James J. ... No Rec. without Amendment
A. J. ... MARROU NO REC

Peter J. ...
Chairman

RESOURCES JUDICIARY

FURTHER REFERRALS: 9 FINANCE

DATE: _____

"An Act relating to the herding of fish."

[] do pass
[] do not pass
[] do pass with attached amendment(s)
[] no recommendation
[☒] replace with CS SS HB 467 (7/2/62) [☒] same title
[] new title

and recommends do pass

[] further referral to the Committee

and attaches: [] letter of intent
[] first fiscal note
[] new fiscal note
[X] zero fiscal note

SIGNING OTHER RECOMMENDATIONS:

Navarre

Binkley

SIGNING OTHER RECOMMENDATIONS:
 [Signature] No Rec without Amendments
 [Signature] MARRAS NO REC

Chairman



Official Business

Alaska State Legislature

House of Representatives

Special Committee on Fisheries

Pouch V
Juneau, Alaska 99811

Phone:
(907) 465-4924

M E M O R A N D U M

January 18, 1986

TO: Members
House Special Committee on Fisheries

FROM: Representative Peter Goll
Chairman *Peter Goll*

SUBJECT: SSHB 467

The first meeting this session of the House Special Committee on Fisheries will take place at 8:30 a.m. Tuesday, January, 21, 1986, in Room 17 of the Capitol Building. Up for consideration will be SSHB 467, An Act relating to the herding of fish.

This legislation is designed to prevent the use of aircraft in the herding of fish into commercial fishing gear. I drafted the legislation at the request of commercial fishermen who wished to halt what they considered to be a dangerous and unfair use of aircraft in fishing operations.

This concern was raised when a helicopter was successfully used to drive herring from shallow waters into a waiting seine during the Sitka herring fishery last spring. The estimated value of helicopter-aided haul of herring was \$400,000.

The fishermen who approached me contend the practice not only represented an unfair use of aircraft but endangered other vessels crowded into an extremely small fishing area. The Department of Fish and Game and Division of Fish and Wildlife Protection have voiced concern about the practice becoming more widespread.

As the attached correspondence from the Departments of Law and Fish and Game reveal, present law does not provide the state with the necessary legal tools to halt the herding of fish by aircraft. After discussing the matter with the Department of Law, I introduced the sponsor substitute to shift the focus of enforcement from the fisherman to the pilot.

House Bill 467
January 18, 1986
Page Two

The sponsor substitute is patterned after a regulation prohibiting the use of aircraft to herd or drive wildlife. This regulation has been successfully used several times, the most recent conviction coming in a case where a big game guide used an airplane to drive brown bear toward his clients.

Some attorneys in the Department of Law believe the actions of an aircraft in driving fish toward a fishing net will be easier to prove than the mental state of a fisherman.

commodity bidding business." In other words, a crab stick is a crab stick is a crab stick.

While some experts claim "the end of the boom is nowher: in sight" and suggest that the market could hit a billion pounds by 1990, Berelson offers a more sobering vision. "Once the novelty wears off," he said, "the consumer will be disenchanted if quality slips. People have too many options today, and low quality gets lost in the backwater."

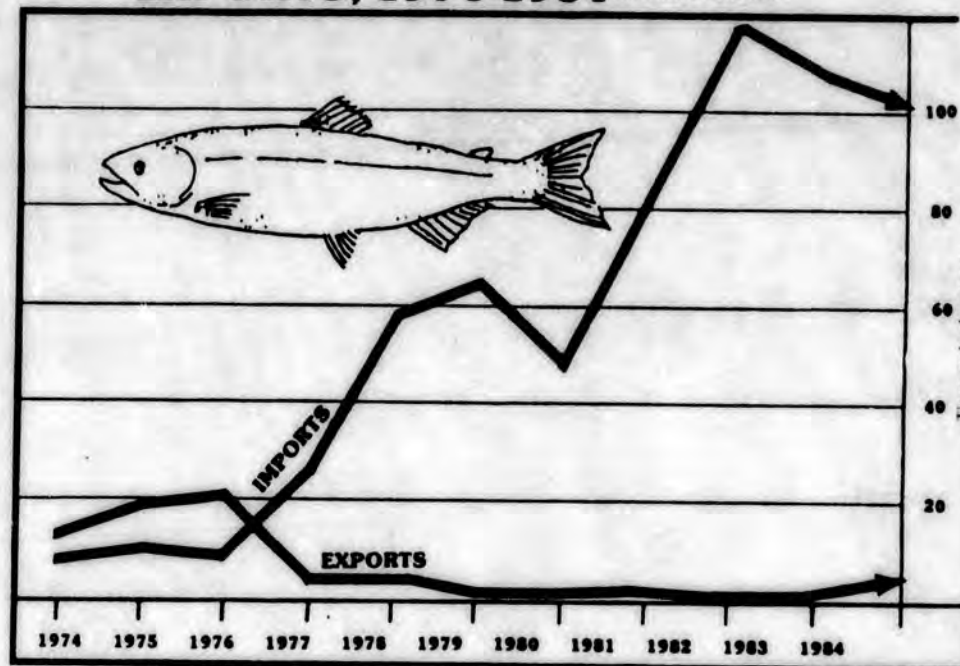
Hopefully, Berelson's boom and doom scenario is premature, but it'll be up to the industry to see that quality and value stay high. Seafood analogs don't have to go the way of the fish stick.

Fish sticks don't even have to go the way of the fish stick, judging from the new products in John Oaksmith's freezer case at Fisherman's Terminal. How about minced pollock nuggets or reformed pollock fillets from the 'Arctic Trawler?' Solves the problem of portioning small fillets and you'd be surprised how they hang together. Breaded or not, here they come. Good, too!

If you've got a helicopter, here's a tip for next year: Sitka herring. One enterprising skipper reportedly nailed 400 tons by stretching his net across the mouth of a bay filled with herring and seiners trying to catch them. When the herring saw the helicopter hovering overhead like a giant eagle, they split for deep water, right into the waiting purse seine. Now who would ever have thought of that?

Speaking of herring, you already know the Southeast prices, \$1000 a ton for seine and \$1350 for gillnet. Beats the pants off of last year, and bodes well for the next herring stops. No doubt you'll know the halibut price by the time the issue hits the streets. At press time all we know is that last year's cold storage fish have been spoken for and everyone's waiting for the Canadians to deliver.

JAPAN SALMON IMPORTS AND EXPORTS, 1974-1984 (PRODUCT WEIGHT)



Prior to passage of the Magnuson Act, Japan caught 65% of its salmon on the high seas and exported more than it imported. Since then imports have grown steadily along with demand, and by 1983 the high seas catch represented only 15% of the total supply.

the fresh again. Prices should start high for them and drop like a rock when the rest hits the wharf.

U.S. Customs law requires that some species, including rockfish, taken by a Canadian vessel must be caught within their territorial waters (12-miles) if direct delivery is made to U.S. ports. Under the provisions of the IPHC, however, a Canadian fisherman is allowed to deliver halibut directly to ports in the United States. "As far as we know he doesn't need anything [in the way of special permit]" -

MEMORANDUM

State of Alaska

TO: Steven Pennoyer
Deputy Commissioner
Dept. of Fish & Game

Norman C. Gorsuch
Attorney General

FROM: By: Larri Irene Spengler
Assistant Attorney General
Department of Law

DATE: May 29, 1985

FILE NO:

TELEPHONE NO: 465-3600

SUBJECT: helicopter herring
herding

Attached is a copy of a letter I recently prepared in response to questions from Representative Ben Grussendorf on the herding of herring by helicopter. It sounds as though he and Representative Goll are concerned about the same episode. As you can see, I agree with your analysis, and have added more information, in response to the specific questions put by Representative Grussendorf.

LIS:dlm

Attachment

cc w/attachment: Representative Peter Goll ✓
Ken Parker, ADF&G

BILL SHEFFIELD, GOVERNOR

DEPARTMENT OF LAW

OFFICE OF THE ATTORNEY GENERAL

May 29, 1985

REPLY TO:

☐ 1031 W 4th AVENUE
SUITE 200
ANCHORAGE, ALASKA 99501
PHONE: (907) 276-3550

☐ 1st NATIONAL CENTER
100 CUSHMAN ST.
SUITE 400
FAIRBANKS, ALASKA 99701
PHONE: (907) 452-1568

☒ POUCH K - STATE CAPITOL
JUNEAU, ALASKA 99811
PHONE: (907) 465-3600

The Honorable Ben Grussendorf
Speaker of the House
P.O. Box 928
Sitka, Alaska 99835

Re: helicopter herring herding

Dear Representative Grussendorf:

You have asked several questions based on an incident which apparently occurred during the Sitka herring sac roe fishery in April, involving the herding of herring by a helicopter. The activity as you described it involved a helicopter hovering near the beach a few feet above the water, frightening the herring away from the aircraft. This is probably not illegal under current statutes and regulations. It is fairly clear that the helicopter would be exempt from vessel licensing requirements, since vessel is defined in AS 16.05.940(27) as a floating craft. However, the pilot of the helicopter would probably have to have a commercial fishing license, since commercial fisherman is defined in AS 16.05.940(4) as individuals who participate directly or indirectly in the taking of fish.

The activity you described probably does not constitute waste of herring, which would be prohibited by AS 16.10.173. That statute defines waste as the failure to use the flesh of commercially-taken herring for certain specified purposes, which does not seem on its face to apply. In any event, there would be a factual question. Further, the prohibition on wanton waste in AS 16.30.010 applies only to specified game animals.

The Board of Fisheries technically has the authority to prohibit the use of helicopters or aircraft in fishing, under the general regulatory powers set out in AS 16.05.251(a). However, it has been the experience of the Department of Public Safety, Division of Fish and Wildlife Protection, in the past that such prohibitions are very hard to enforce, if not virtually impossible. The board does not have the authority to prohibit helicopters or airplanes from flying at certain heights or speeds, nor from entering certain areas. That authority is preempted by the

Hon. Ben F. Grussendorf
Speaker of the House

May 29, 1985
Page 2

federal government through the FAA. Therefore, if helicopters or airplanes are present above an area where fishing is going on, it is necessary to prove that the helicopter or airplane was participating in the fishing, in association with a vessel or set of gear below. It might be helpful for you to contact the Division of Fish and Wildlife Protection about the enforcement problems.

Of course, putting aside the enforcement problems, any individual may submit a regulatory proposal to the Board of Fisheries under 5 AAC 96.610. Interested people could contact the Department of Fish and Game, Division of Boards, 465-4110, about the time frame for submitting such proposals. Of course, simply because a proposal is submitted does not mean the board will automatically adopt it in regulation, since the board must weigh all factors, including enforceability.

If you have any further questions, please give me a call.

Sincerely,

NORMAN C. GORSUCH
ATTORNEY GENERAL

By: /s/
Larri Irene Spengler
Assistant Attorney General

LIS:dlm

cc: Elizabeth A. Stewart
Director
Division of Boards
Department of Fish & Game

Captain Jack Jordan
Division of Fish & Wildlife Protection
Department of Public Safety

MEMORANDUM

State of Alaska

TO: Larri I. Spengler
Assistant Attorney General
Department of Law

DATE: May 22, 1985

FILE NO:

TELEPHONE NO: 465-4100

FROM: Steven Pennoyer *S Pennoyer*
Deputy Commissioner
Department of Fish and Game

SUBJECT: Commercial
Fishing--Aircraft

Representative Goll sent two of his constituents over to talk to us about an incident that occurred during the 1985 Sitka Sound herring sac-ro-e fishery. The two, who are participants in that fishery, observed a helicopter being used to herd herring into a seine. They felt that type of activity was illegal, and that both the aircraft and the pilot should be licensed. We told them that as far as we could determine, there are no laws that prohibit the harassing of fish or the use of aircraft to take fish. It did seem clear that AS 16.05.940(27) would exempt such aircraft from the vessel licensing requirements, and that since the pilot's activities were a direct participation in the taking of fish, he would have to have a Commercial Fisheries Entry Commission permit or a crew member's license.

Representative Goll requested that if we determined that the helicopter's activities were not prohibited by law, we would ask you for your determination. If you agree with us, I think Representative Goll will plan on introducing some type of legislation to prohibit or restrict the activity.

cc: The Honorable Peter Goll
Ken Parker

BILL SHEFFIELD, GOVERNOR

**DEPARTMENT OF FISH AND GAME
OFFICE OF THE COMMISSIONER**

P.O. BOX 3-2000
JUNEAU, ALASKA 99802
PHONE: 907 / 465-4100

June 11, 1985

The Honorable Peter Goll
Alaska State House
P. O. Box 581
Haines, AK 99827

JUN 14 1985

Dear Representative Goll:

Thank you for your letter of May 28 regarding use of aircraft in fishing. We will be available to assist you in developing the recommendations, although, quite frankly, I am not sure what the "solution" will be.

The first decision point is: what are the problems and what needs to be done about it. The use of aircraft has its advantages and disadvantages. In some locations, for example, the Togiak herring fishery, the use of spotters makes the fishery operate efficiently. On the flip side, driving herring with a helicopter in a very fast-paced fishery, like Sitka herring, can cause management problems. These two factors will most likely have to be considered in any piece of legislation which is drafted. Also, in some cases, restricted use of aircraft could have allocative overtones, i.e., big boat vs. small boat, local vs. nonlocal, and seine vs. gill net. The department will have to be careful to not appear to favor one side over the other as we assist you and then testify before the various legislative committees.

An equally difficult task is going to be the forging of something that is enforceable. The major problem the Board of Fisheries has had with requests to restrict the use of aircraft is that its authorities are limited in the field. I expect the Legislature will have the same problem. While both bodies can restrict the use of aircraft in fishing operations, the state cannot control the airspace; only the federal government has the authority. So, what happens is a situation where if restrictions are in place, the pilot and fishermen can avoid citation by saying the aircraft was used for supplies or navigation, and the state must prove otherwise. This is the experience we had when spotter aircraft were prohibited in the Kodiak herring fishery.

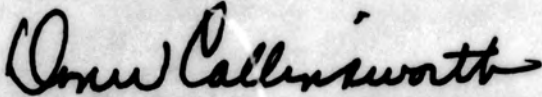
The Honorable
Peter Goll

-2-

June 11, 1985

My staff will be glad to contribute our past experience regarding regulations relative to the use of aircraft in fishing operations to your drafting process. I will ask Bob Clasby to work directly with Rodger Painter on this.

Sincerely,



Don W. Collinsworth
Commissioner

cc: Bob Clasby
Rodger Painter
Larri Spengler

STATE OF ALASKA 1986 LEGISLATIVE SESSION

FISCAL NOTE

Revision Date : _____

REQUEST

Bill/Resolution No. : HB 467
 Title : "an act relating to the herding of fish"
 Sponsor : Rep. Goll
 Requestor : House Fisheries
 Date of Request : 1/21/86

FISCAL DETAIL

Agency Affected : Public Safety
 BRU : Fish & Wildlife Protection
 Components : _____

EXPENDITURES/REVENUES : (Thousands of Dollars)

OPERATING	FY 86	FY 87	FY 88	FY 89	FY 90	FY 91
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING		0	0	0	0	0

CAPITAL						
---------	--	--	--	--	--	--

REVENUE						
---------	--	--	--	--	--	--

FUNDING : (Thousands of Dollars)

GENERAL FUND		0	0	0	0	0
FEDERAL FUNDS						
OTHER						
TOTAL						

POSITIONS :

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS : Attach a separate page if necessary

Prepared by : Kathy Niles, Administrative Ass't
 Division : Commissioner's Office

Phone : 465-4336
 Date : 1/17/86

Approved by Commissioner : [Signature]
 Agency : Public Safety

Date : 1-17-86

Distribution (by Agency preparing fiscal note):

- Legislative Finance
- Legislative Sponsor
- Requestor
- Office of Management and Budget
- Impacted Agency(ies)



RECORDS CERTIFICATION



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Signature of Camera Operator


Date

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#48:24

DEPARTMENT OF PUBLIC SAFETY

POSITION PAPER - HB 492

OPPOSED

February 3, 1986

SB 492 - "An Act relating to sport fishing from commercially licensed troll vessels; and providing for an effective date."

The Department of Public Safety is opposed to this bill. To allow sport fishing from commercial trollers could create an enforcement problem in that it would make it very difficult to prevent the movement of sport caught fish from going into the commercial market.

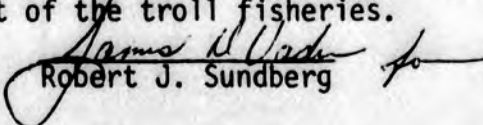
The Board of Fisheries has considered various proposals over the past years for allowing sport fishing from commercial troll vessels. The Board has taken the position to not relax prohibition against sport fishing from troll vessels as this could have an effect on the allocation of the commercial catch between the power and hand troll vessels. The U.S. - Canadian treaty presently regulates the number of King Salmon that can be taken by the commercial fishermen. If sport fishing is allowed, the present allocation could be jeopardized. The Board of Fisheries did pass a regulation at the December meeting to allow sport fishing for bottom fish and halibut from commercial troll vessels in Southeast and Yakutat. The regulation prohibits Halibut being on board the vessel if there are salmon on board.

To further relax the prohibition against sport fishing from troll vessels by passing this bill would increase the enforcement effort and inability to properly assist in the management of the salmon fisheries.

To allow sport fishing from commercial troll vessels means that during periods of troll closures commercial vessels can legally be sport fishing in the same waters they commercially fish. In addition, prior to any commercial troll openings, vessels can be on the grounds and be illegally fishing for, and retaining, salmon for their commercial catch, but under the guise of "sport fishing". We cannot legally inspect or search the holds of fishing vessels without first receiving permission from the commercial fishermen or by having probable cause to enforce and apprehend a fisherman retaining sport caught salmon who has the intent of selling them through a commercial market.

In the past when a troll closure occurred, aerial patrols were maintained of the area and any commercial trollers still fishing would be readily visible. We have not had problems in the past as the regulations were very clear. In the last 12 months only two citations were issued.

It is our position to oppose this bill and recommend that the board of Fisheries continue to address the methods and means of taking fish as it relates to the management of the troll fisheries.


Robert J. Sundberg

5 AAC 49.050. WATERS CLOSED TO SPORT FISHING. (a) The Situk River drainage is closed to king salmon fishing upstream from the U.S. Forest Service Middle Cabin from July 1 through August 31 and is closed to all fishing from the old railroad bridge downstream to its mouth.

(b) The Lost River drainage is closed to fishing upstream from the Lost River bridge from August 15 through December 31.

(c) Tawah Creek drainage, tributary to Lost River, is closed to fishing within 50 yards of the R.E.L. Bridge. (In effect before 1985; am 5/31/85, Reg. 94)

Authority: AS 16.05.251

5 AAC 49.060. SPORT FISHING FROM COMMERCIALLY LICENSED VESSELS. (a) No person may sport fish from a registered salmon hand troll or power troll vessel, as those vessels are identified by the marking requirements of 5 AAC 39.270(c) and (d), except that this prohibition does not apply

(1) to charter vessels;

(2) in derby zones during derbies authorized by the department.

(b) The owner or operator of a charter vessel shall register that vessel annually with the department before the vessel is used for sport fishing. The following information must be provided at the time of registration with the department:

(1) the name of the individual or company owning the charter service;

(2) the permanent residence address, and mailing address, of the owner or company;

(3) the permanent vessel license plate number (ADF&G number) for the vessel;

(4) a photostatic copy of the current Alaska Business License of the company or individual owning the charter service; and

(5) a photostatic copy of the U.S. Coast Guard license to carry passengers for hire issued to the owner or operator of the vessel.

(c) Each person who sport fishes from a vessel licensed for commercial fishing, including a charter vessel, in waters closed to commercial salmon fishing shall, immediately upon boating, mark each salmon by removing its dorsal (large back) fin.

(d) Sport fishing is illegal in waters closed to commercial fishing while commercially caught troll salmon are in possession. (In effect before 1984; am 4/28/84, Reg. 90; am 5/31/85, Reg. 94)

Authority: AS 16.05.251

Register __, ____ 1986

FISH AND GAME

5 AAC 49.050

5 AAC 49.060

CHAPTER 49.

YAKUTAT AREA

5 AAC 49.050(a) is amended to read

5 AAC 49.050. WATERS CLOSED TO SPORT FISHING. (a) The Situk River drainage is closed to king salmon fishing upstream from the U.S. Forest Service middle cabin from July 1 through August 31, and is closed to all fishing from the old railroad bridge downstream to its mouth from June 15 through October 14. (In effect before 1985; am 5/31/85, Register 94; am __/__/86, Register __)

Authority: AS 16.05.251

5 AAC 49.060(a)(3) is added and (b)(4) and (5) are amended to read:

5 AAC 49.060. SPORT FISHING FROM COMMERCIALY LICENSED VESSELS. (a) No person may sport fish from a registered salmon hand troll or power troll vessel, as those vessels are identified by the marking requirements of 5 AAC 39.119, except that this prohibition does not apply

(3) to sport fishing for bottomfish and halibut; no halibut may be on board the vessel if there are salmon on board.

(b) The operator of a charter vessel shall register that vessel annually with the department before the vessel is used for sport fishing in salt water. The following information must be provided at the time of registration with the department:

(4) the number of the current Alaska Business License of the company or individual owning the charter service; and

(5) the number of the U.S. Coast Guard license to carry passengers for hire issued to the operator of the vessel.

(In effect before 1984; am 4/28/84, Register 90; am 5/31/85, Register 94, am __/__/86, Register __)

Authority: AS 16.05.251

5 AAC 46.060. SPORT FISHING FROM COMMERCIALLY LICENSED VESSELS. (a)

No person may sport fish from a registered salmon hand troll or power troll vessel, as those vessels are identified by the marking requirements of 5 AAC 39.270(c) and (d), except that this prohibition does not apply

(1) to charter vessels;

(2) in derby zones during derbies authorized by the department.

(b) The owner or operator of a charter vessel shall register that vessel annually with the department before the vessel is used for sport fishing. The following information must be provided at the time of registration with the department:

(1) the name of the individual or company owning the charter service;

(2) the permanent residence address, and mailing address, of the owner or company;

(3) the permanent vessel license plate number (ADF&G number) for the vessel;

(4) a photostatic copy of the current Alaska Business License of the company or individual owning the charter service; and

(5) a photostatic copy of the U.S. Coast Guard license to carry passengers for hire issued to the owner or operator of the vessel.

(c) Each person who sport fishes from a vessel licensed for commercial fishing, including a charter vessel, in waters closed to commercial salmon fishing shall, immediately upon boating, mark each salmon by removing its dorsal (large back) fin.

(d) Sport fishing is illegal in waters closed to commercial fishing while commercially caught salmon are in possession. (In effect before 1984; am 4/28/84, Reg. 90; am 5/31/85, Reg. 94)

Authority: AS 16.05.251

**CHAPTER 48.
AREA 1—SOUTHEAST ALASKA**

Article

1. **Freshwater**
(5 AAC 48.010—5 AAC 48.030)
2. **Saltwater**
(5 AAC 48.040—5 AAC 48.092)
3. **Definition of Area** (5 AAC 48.100)

**ARTICLE 1.
FRESHWATER**

Section

10. (Repealed)
20. (Repealed)
30. (Repealed)

5 AAC 48.010. OPEN SEASON. Repealed 5/6/81.

5 AAC 48.020. BAG LIMITS. Repealed 5/6/81.

5 AAC 48.030. EXCEPTIONS. Repealed 5/6/81.

**ARTICLE 2.
SALTWATER**

Section

40. (Repealed)
50. (Repealed)
60. (Repealed)
70. (Repealed)
80. (Repealed)
90. (Repealed)
92. (Repealed)

5 AAC 48.040. OPEN SEASON. Repealed 5/6/81.

5 AAC 48.050. BAG LIMIT. Repealed 5/6/81.

5 AAC 48.060. EXCEPTIONS. Repealed 5/6/81.

5 AAC 48.070. SPORT FISHING FOR SALMON WITH COMMERCIALLY CAUGHT TROLL SALMON IN POSSESSION. Repealed 5/6/81.

(B) the Klawock River drainage upstream from the Klawock River bridge is closed to red salmon fishing.

(d) In salt water

(10) the area between the Klawock River bridge and a line from the Klawock blinker light to the Klawock oil dock is closed to red salmon fishing, and is closed to snagging; fish hooked elsewhere than in the mouth must be released immediately. (In effect before 1983; am 4/3/83; Register 85; am 4/28/84, Register 90; am 5/31/85, Register 94; am __/__/86, Register __)

Authority: AS 16.05.251

5 AAC 46.060 (a)(3) is added and (b)(4) and (5) are amended to read:

5 AAC 46.060. SPORT FISHING FROM COMMERCIALY LICENSED VESSELS. (a) No person may sport fish from a registered salmon hand troll or power troll vessel, as those vessels are identified by the marking requirements of 5 AAC 39.119, except that this prohibition does not apply

(3) to sport fishing for bottomfish and halibut; no halibut may be on board the vessel if there are salmon on board.

(b) The operator of a charter vessel shall register that vessel annually with the department before the vessel is used for sport fishing in salt water. The following information must be provided at the time of registration with the department:

(4) the number of the current Alaska Business License of the company or individual owning the charter service; and

(5) the number of the U.S. Coast Guard license to carry passengers for hire issued to the operator of the vessel.

(In effect before 1984; am 4/28/84, Register 90; am 5/31/85, Register 94, am __/__/86, Register __)

Authority: AS 16.05.251



Alaska State Legislature

House of Representatives

SPECIAL COMMITTEE ON FISHERIES

Pouch V
State Capitol
Juneau, Alaska 99811
(907) 465-4833

HEARING DATE:

Feb 4

HB 227

HB 492

NAME (Please Print)	ADDRESS	REPRESENTING	TESTIFY (Yes or No)	PHONE NUMBER
Paul Johnson	Box 22 Elsin Cove	Self	Yes HB 492	
LT. Conrad Seibel	2760 Shorewood Ln Juneau	Dept. Public Safety	Yes HB 492	789-2161
Pat Young	17001 Towers Rd. Juneau	Juneau Hand Trrollers	Yes HB 492	789-2069
Ned Johnson	9434 LIPERHOUSE	SELF	NO 492	789-7092
DAN BATES	5971 North ST	Self	Yes HB 492	280-6638
LYALL HADSEL	2201 MOIR ST	SELF	NO 492	789-3419
RON Williams	8131 Dogwood Terrace	ANB, Grand Camp	Yes 492	586-7600
Francis W. Nunne	PO Box 1421 JUNU, AK	Self	Yes	586-7569
Keith Hutchison	Box 876 Jno. 99802	Juneau Hand Trrollers	Yes 492	789-9489
THOMAS McCommell	2291 Howell Ave	Juneau Hand Trrollers	Yes 492	586-2362
Beth Stewart		ADF&G	Yes 492	465-4100
Oleg Fisk		ATA	Yes 492	
Ralph Andrews		AK Outdoor Council	Yes 492	

DEPARTMENT OF PUBLIC SAFETY

POSITION PAPER - HB 492

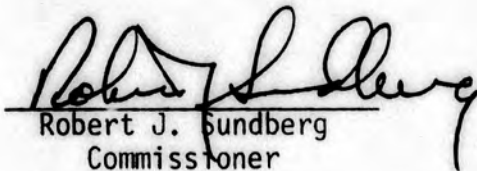
NEUTRAL

February 5, 1986

SB 492 - "An act relating to sport fishing from commercially licensed troll vessels; and providing for an effective date."

The Board of Fisheries has considered various proposals over the past years for allowing salmon sport fishing from commercial troll vessels. The Board has taken the position to not relax prohibition against salmon sport fishing from troll vessels as this could have an effect on the allocation of the commercial catch between the power and hand troll vessels. The U.S. - Canadian treaty presently regulates the number of King Salmon that can be taken by the commercial fishermen. They felt sport fishing if allowed could alter the present allocation and jeopardize the treaty. The Board of Fisheries did pass a regulation at the December meeting to allow sport fishing for bottom fish and halibut from commercial troll vessels in Southeast and Yakutat. The regulation will prohibit halibut being on board the vessel if there are salmon aboard. The enforcement will not be fully known until spring when commercial salmon trolling is in full swing.

Under the current regulations, only two citations were issued over the past twelve months, for observed violations of this regulation.


Robert J. Sundberg
Commissioner

MEMORANDUM

State of Alaska

TO: Rodger Painter
Legislative Aide to
The Honorable Peter Goll

DATE: January 31, 1986

FILE NO:

TELEPHONE NO:

FROM: Kurt Schelle ^{VS}
Director of Research
Commercial Fisheries Entry
Commission

SUBJECT: Hand Troll Data Request

Enclosed are data on the hand troll fishery which you requested.
The following reports have been included:

1. Southeast Salmon Permits Issued and Fished 1975-1985

This report includes data on all of the gear types harvesting salmon in Southeast Alaska with the exception of Yakutat set net. The number of persons who fished have been reported by resident type. The 1984 and 1985 data from the report should be considered preliminary because of the status of the fish ticket files.

2. Southeast Hand Troll Permits Issued and Fished 1982-1985

This report concentrates on the hand troll fishery since entry limitation. It includes a breakout by transferable and non-transferable permits. Again, the 1984 and 1985 data should be considered preliminary.

3. Estimated Earnings for Southeast Salmon Permits by Gear Type 1975-1985

This report includes estimates of total and average gross earnings by gear type. Please note that the averages represent averages per permit. 1984 and 1985 data should be considered as preliminary.

4. Definitions

This brief report provides an explanation on how the resident types are defined which are used in reports 5 and 6 below.

5. Summary of Net Changes in the Distribution of Permit Ownership, by Resident Type, 1982-1985 - Southeast Alaska Hand Troll

This report provides detailed information on the distribution of hand troll entry permits since limited entry. Resident type breakouts are provided. Of particular interest is the relatively large number of revokes over this time period. The vast majority of these are due to forfeitures resulting from two year non-renewals.

6. Summary of Yearly Net Changes in Permit Ownership, Southeast Alaska Hand Troll, 1982-1985

This report provides summary data on net changes in permit ownership by resident type in the hand troll fishery. The net results of transfers and the effects of revocations can be clearly seen.

The Rutter status report which you requested has not yet been completed. The data is being prepared by Karen Wells of our adjudications section. She will forward the information to you as soon as possible.

Please let me know if you have any questions concerning these reports. If we can be of further assistance, please don't hesitate to ask.

KS/dw

cc: Bruce Twomley
Karen Wells

SOUTHEAST SALMON PERMITS ISSUED AND FISHED 1975-1985

PERMITS ISSUED

----- PEOPLE WHO FISHED -----

		PERMANENT PERMIT HOLDERS	IUP PERMIT HOLDERS	TOTAL	RESIDENTS LOCAL TO FISHERY	OTHER ALASKA RESIDENTS	NON- RESIDENTS	TOTAL
1985	PURSE SEINE	416	4	420	162 (44.3)	3 (0.8)	201 (54.9)	366 (100.0)
	DRIFT GILLNET	468	16	484	309 (68.4)	8 (1.8)	135 (29.9)	452 (100.0)
	POWER TROLL	942	20	962	633 (76.0)	14 (1.7)	186 (22.3)	833 (100.0)
	HAND TROLL	1987	44	2031	814 (91.3)	14 (1.6)	64 (7.2)	892 (100.0)
1984	PURSE SEINE	417	5	422	167 (43.3)	2 (0.5)	217 (56.2)	386 (100.0)
	DRIFT GILLNET	467	14	481	309 (69.4)	4 (0.9)	132 (29.7)	445 (100.0)
	POWER TROLL	940	23	963	603 (75.3)	12 (1.5)	186 (23.2)	801 (100.0)
	HAND TROLL	2120	27	2147	799 (93.0)	4 (0.5)	56 (6.5)	859 (100.0)
1983	PURSE SEINE	416	5	421	158 (46.5)	2 (0.6)	180 (52.9)	340 (100.0)
	DRIFT GILLNET	467	13	480	300 (68.5)	4 (0.9)	134 (30.6)	438 (100.0)
	POWER TROLL	939	29	968	620 (75.1)	9 (1.1)	197 (23.8)	826 (100.0)
	HAND TROLL	2121	29	2150	878 (92.3)	16 (1.7)	57 (6.0)	951 (100.0)
1982	PURSE SEINE	414	7	421	154 (41.3)	6 (1.6)	213 (57.1)	373 (100.0)
	DRIFT GILLNET	466	20	485	296 (66.7)	5 (1.1)	143 (32.2)	444 (100.0)
	POWER TROLL	940	28	968	607 (74.6)	15 (1.8)	192 (23.6)	814 (100.0)
	HAND TROLL	696	1212	1908	990 (92.8)	13 (1.2)	64 (6.0)	1067 (100.0)
1981	PURSE SEINE	414	4	418	171 (47.0)	4 (1.1)	189 (51.9)	364 (100.0)
	DRIFT GILLNET	464	23	487	311 (68.5)	5 (1.1)	138 (30.4)	454 (100.0)
	POWER TROLL	939	31	970	593 (74.1)	11 (1.4)	196 (24.5)	800 (100.0)
	HAND TROLL	0	2048	2048	1052 (91.7)	21 (1.8)	74 (6.5)	1147 (100.0)
1980	PURSE SEINE	414	3	417	157 (47.1)	4 (1.2)	172 (51.7)	333 (100.0)
	DRIFT GILLNET	464	25	489	324 (72.0)	4 (0.9)	122 (27.1)	450 (100.0)
	POWER TROLL	939	35	974	616 (72.6)	17 (2.0)	216 (25.4)	849 (100.0)
	HAND TROLL	0	2436	2436	1484 (89.0)	32 (1.9)	151 (9.1)	1667 (100.0)
1979	PURSE SEINE	413	5	418	156 (48.9)	4 (1.3)	159 (49.8)	319 (100.0)
	DRIFT GILLNET	464	27	491	326 (71.0)	4 (0.9)	129 (28.1)	459 (100.0)
	POWER TROLL	939	40	978	617 (74.4)	19 (2.3)	193 (23.3)	829 (100.0)
	HAND TROLL	0	3700	3700	1917 (87.0)	45 (2.0)	242 (11.0)	2204 (100.0)
1978	PURSE SEINE	413	7	420	165 (43.5)	8 (2.1)	206 (54.4)	379 (100.0)
	DRIFT GILLNET	463	28	490	333 (68.7)	11 (2.3)	141 (29.1)	485 (100.0)
	POWER TROLL	934	42	976	629 (76.4)	15 (1.8)	179 (21.7)	823 (100.0)
	HAND TROLL	0	3921	3921	2394 (91.2)	30 (1.1)	200 (7.6)	2624 (100.0)

P E R M I T S I S S U E D				- - - - P E O P L E W H O F I S H E D - - - -				
		PERMANENT PERMIT HOLDERS	IUP PERMIT HOLDERS	TOTAL	RESIDENTS LOCAL TO FISHERY	OTHER ALASKA RESIDENTS	NON- RESIDENTS	TOTAL
1977	PURSE SEINE	411	3	414	160 (49.1)	0 (0.0)	166 (50.9)	326 (100.0)
	DRIFT GILLNET	460	14	474	315 (70.6)	4 (0.9)	127 (28.5)	446 (100.0)
	POWER TROLL	929	41	968	591 (78.0)	5 (0.7)	162 (21.4)	758 (100.0)
	HAND TROLL	0	2951	2951	1753 (95.6)	12 (0.7)	69 (3.8)	1834 (100.0)
1976	PURSE SEINE	409	9	416	146 (51.8)	1 (0.4)	135 (47.9)	282 (100.0)
	DRIFT GILLNET	449	38	483	305 (69.0)	3 (0.7)	134 (30.3)	442 (100.0)
	POWER TROLL	915	83	976	567 (76.0)	6 (0.8)	173 (23.2)	746 (100.0)
	HAND TROLL	0	2082	2082	1187 (96.1)	4 (0.3)	44 (3.6)	1235 (100.0)
1975	PURSE SEINE	398	77	444	163 (55.6)	1 (0.3)	129 (44.0)	293 (100.0)
	DRIFT GILLNET	431	80	497	315 (68.9)	2 (0.4)	140 (30.6)	457 (100.0)
	POWER TROLL	849	230	1044	574 (74.0)	5 (0.6)	197 (25.4)	776 (100.0)
	HAND TROLL	0	2087	2087	1043 (95.5)	5 (0.5)	44 (4.0)	1092 (100.0)

NOTES FOR TABLE:

- 1) Excludes permits landing fish only from Annette Island waters.
- 2) 1985 data is preliminary.
- 3) Because of inseason transfers, the number of people who fished will be greater than the number of permits landing fish reported in other tables.
- 4) Source programs: All years -- 85301.03

SOUTHEAST HAND TROLL PERMITS ISSUED AND FISHED 1982-1985

		P E R M I T S I S S U E D			- - - - P E O P L E W H O F I S H E D - - - -			
		PERMANENT PERMIT HOLDERS	IUP PERMIT HOLDERS	TOTAL	RESIDENTS LOCAL TO FISHERY	OTHER ALASKA RESIDENTS	NON- RESIDENTS	TOTAL
1985	TRANSFERABLE	730	44	774	439 (91.3)	9 (1.9)	33 (6.9)	481 (100.0)
	NON-TRANS.	1257	0	1257	375 (91.2)	5 (1.2)	31 (7.5)	411 (100.0)
1984	TRANSFERABLE	697	27	724	401 (93.3)	2 (0.5)	27 (6.3)	430 (100.0)
	NON-TRANS.	1423	0	1423	398 (92.8)	2 (0.5)	29 (6.8)	429 (100.0)
1983	TRANSFERABLE	698	29	727	430 (93.7)	5 (1.1)	24 (5.2)	459 (100.0)
	NON-TRANS.	1423	0	1423	449 (91.1)	11 (2.2)	33 (6.7)	493 (100.0)
1982	TRANSFERABLE	696	1212	1908	990 (92.8)	13 (1.2)	64 (6.0)	1067 (100.0)

NOTES FOR TABLE:

- 1) Excludes permits landing fish only from Annette Island waters.
- 2) 1985 data is preliminary.
- 3) Because of inseason transfers, the number of people who fished will be greater than the number of permits landing fish reported in other tables.
- 4) Source programs: All years -- 85301.03

ESTIMATED EARNINGS FOR SOUTHEAST SALMON PERMITS
BY GEAR TYPE 1975-1985

Year	Gear Type	Permits Landing Fish	Total Gross Earnings	Average Gross Earnings
1985	Purse Seine	364	\$ 50,105,334	\$137,652
	Drift Gillnet	440	15,748,906	35,793
	Power Troll	821	19,014,559	23,160
	Hand Troll	835	3,648,677	4,370
1984	Purse Seine	383	\$ 34,372,420	\$ 89,745
	Drift Gillnet	435	13,165,030	30,264
	Power Troll	786	21,529,614	27,391
	Hand Troll	837	3,669,225	4,508
1983	Purse Seine	337	\$ 32,610,927	\$ 96,768
	Drift Gillnet	429	7,458,751	17,386
	Power Troll	808	13,457,290	16,655
	Hand Troll	921	2,483,900	2,697
1982	Purse Seine	369	\$ 27,921,202	\$ 75,667
	Drift Gillnet	431	10,613,954	24,626
	Power Troll	808	20,333,936	25,166
	Hand Troll	1054	4,037,725	3,831
1981	Purse Seine	365	\$ 38,470,492	\$105,398
	Drift Gillnet	446	9,379,807	21,030
	Power Troll	790	16,110,489	20,393
	Hand Troll	1129	3,400,658	3,012
1980	Purse Seine	334	\$ 30,213,235	\$ 90,458
	Drift Gillnet	444	9,441,006	21,263
	Power Troll	834	13,125,024	15,737
	Hand Troll	1615	3,149,520	1,950
1979	Purse Seine	320	\$ 20,505,573	\$ 64,079
	Drift Gillnet	447	11,428,132	25,566
	Power Troll	807	20,989,328	26,009
	Hand Troll	2151	6,285,056	2,921
1978	Purse Seine	374	\$ 29,815,380	\$ 79,720
	Drift Gillnet	473	9,553,300	20,197
	Power Troll	803	17,251,547	21,483
	Hand Troll	2549	5,609,528	2,200
1977	Purse Seine	325	\$ 24,698,101	\$ 75,994
	Drift Gillnet	436	11,785,704	27,031
	Power Troll	740	11,954,524	16,154
	Hand Troll	1781	3,267,463	1,834

Year	Gear Type	Permits Landing Fish	Total Gross Earnings	Average Gross Earnings
1976	Purse Seine	278	\$ 11,068,853	\$ 39,816
	Drift Gillnet	429	8,581,710	20,003
	Power Troll	736	8,447,049	11,476
	Hand Troll	1185	1,481,621	1,250
1975	Purse Seine	282	\$ 6,008,403	\$ 21,306
	Drift Gillnet	438	4,096,559	9,352
	Power Troll	738	3,996,776	5,415
	Hand Troll	964	554,134	574

Notes for table:

- 1) Excludes Annette Island catch.
- 2) Permit holders earning less than a specified amount have not been counted on this table. This is intended to prevent average earnings from being understated.
- 3) 1985 data is preliminary (updated 1/15/86).
- 4) Source programs: 1984-85 -- 85301.02-B3
1983 ----- 84270.06-M2
1982 ----- 84004.01
1975-81 -- 83056.01

Definitions

Urban/Rural

1. Urban includes all towns with 1980 U.S. Census populations of 2,000 or more.
2. Communities are designated urban even though their populations are under 2,000 if they lie within an "urbanized area." Urbanized areas are defined as all communities and places connected by highway to urban centers with populations of 6,000 or more and lying within a 20-mile radius of the urban center (for cities from 6,000 to 20,000 population) or a 40-mile radius (for cities of more than 20,000). The radius is measured from the center of the city as denoted by the city location point on maps, rather than from the city limits. An exception to the radius rule is that the Anchorage "urbanized area" does not extend north of Knik Arm nor south of Turnagain Arm.

The cities of 6,000 to 20,000 population are Juneau, Ketchikan and Sitka. The cities above 20,000 are Anchorage and Fairbanks.

Local/Nonlocal

1. On the coast, area lines are based on Fish and Game salmon regulatory areas. Residences in both Southeast and Yakutat are designated local to the hand and power troll fisheries. In accord with permit and fishery regulations, residences with the Cape Yakataga and Port Heiden overlap areas are "local" for both relevant overlap areas.
2. The Upper and Lower Yukon and Kuskokwim River fishery areas are based on immediate river drainages. The Lower Yukon area extends up the Yukon River to just above Holy Cross. The Upper Yukon "local" area extends up the Koyukuk tributary as far as Huslia, the Chandalar as far as Venetie and the Tanana to Delta Junction, 30 miles beyond the upper limits of commercial fishing on that river. The Kuskokwim local area extends 30 miles upriver beyond the limit of commercial fishing on that river and includes the Stony River tributary as far as Lime Village and the Holitna River as far as Kasheglok.
3. The Bristol Bay area extends inland up the Nushagak River and includes the entire Tikchik Lake system as well as Lake Iliamna and Lake Clark.
4. The Cook Inlet local area includes all but the eastern edge of the Anchorage Borough. The line dividing the Cook Inlet and

Prince William Sound ADF&G regulatory areas are extended inland directly north. That is, the line runs from Cape Fairfield at 148°50'W, north to 61°32'N (just north of Bodenburg Butte and south of Palmer) and thence west to 150°30'W (to the community of Susitna) and thereafter follows, at a little distance inland, the western shore of Cook Inlet, ending at Cape Douglas.

5. The Prince William Sound area extends up the Copper River to the confluence of the Bremner River. Taking in the census subareas of Prince William Sound and Cordova, but not the Copper River subarea, it excludes the interior Copper River as well as the Edgerton, Richardson and Glenn Highway communities.

Summary of Yearly Net Changes in
Permit Ownership, 1982 - 1985

SOUTHEAST ALASKA HAND TROLL

	ALASKA RURAL LOCAL				ALASKA RURAL NONLOCAL				ALASKA URBAN LOCAL				ALASKA URBAN NONLOCAL				NON RESIDENTS				DOC
	TRANS	MIGR	REV	NET	TRANS	MIGR	REV	NET	TRANS	MIGR	REV	NET	TRANS	MIGR	REV	NET	TRANS	MIGR	REV	NET	TRANS
1982	-2 +	0 +	0 =	-2	2	0	0	2	-2	0	0	-2	1	0	0	1	1	0	0	1	0
1983	-7 +	1 +	0 =	-6	0	0	0	0	1	1	0	2	1	-1	0	0	5	-1	0	4	0
1984	-11 +	12 +	0 =	1	1	1	0	2	-1	-20	0	-21	0	3	0	3	11	4	-1	14	0
1985	-3 +	-4 +	-25 =	-32	1	2	-1	2	-2	11	-77	-68	-5	0	-5	-10	9	-9	-27	-27	0
=====	=====	=====	=====	=====	=====	=====	=====	=====	=====	=====	=====	=====	=====	=====	=====	=====	=====	=====	=====	=====	=====
	-23	9	-25	-39	4	3	-1	6	-4	-8	-77	-89	-3	2	-5	-6	26	-6	-28	-8	0

Trans = net change in resident type due to permanent transfers.

Migr = net change in resident type due to migrations (permit holder moving from one city to another).

Rev = net change in resident type due to revocation proceedings.

(including deaths of nontransferable permits holders, PERMITS FORFEITED DUE TO NONRENEWAL, AND criminal revokes.

Net = total net change in resident type.

Alaska Rural Local: ALASKA resident of a RURAL community which is LOCAL to the fishery for which the permit applies.

Alaska Rural Nonlocal: ALASKA resident of a RURAL community which is LOCAL to the fishery for which the permit applies.

Alaska Urban Local: ALASKA resident of an URBAN community which is LOCAL to the fishery for which the permit applies.

Alaska Urban Nonlocal: ALASKA resident of an URBAN community which is LOCAL to the fishery for which the permit applies.

Nonresident: Nonresident of ALASKA

DOC : Department of Commerce signifies permits which have been foreclosed and which are temporarily the property of the state (DOC) or of the Commercial Fishing and Agriculture Bank (CFAB).

Summary of Net Changes in the Distribution of Permit Ownership,
by Resident Type, 1982 - 1985

SOUTHEAST ALASKA HAND TROLL

Fishery	Transaction	ALASKA RURAL LOCAL	ALASKA RURAL NONLOCAL	ALASKA URBAN LOCAL	ALASKA URBAN NONLOCAL	NON- RESIDENT	DEPT OF COMMERCE	TOTAL
HAND TROLL	82 INITIAL ISSUES	286	1	361	11	37	0	696
HAND TROLL	82 TRANSFERS	-2	2	-2	1	1	0	0
	82 TOTAL	284	3	359	12	38	0	696
HAND TROLL	83 INITIAL ISSUES	391	5	873	40	116	0	1,425
HAND TROLL	83 TRANSFERS	-7	0	1	1	5	0	0
HAND TROLL	83 MIGRATIONS	1	0	1	-1	-1	0	0
	83 TOTAL	669	8	1,234	52	158	0	2,121
HAND TROLL	84 TRANSFERS	-11	1	-1	0	11	0	0
HAND TROLL	84 MIGRATIONS	12	1	-20	3	4	0	0
HAND TROLL	84 FORFEITS	0	0	0	0	-1	0	-1
	84 TOTAL	670	10	1,213	55	172	0	2,120
HAND TROLL	85 INITIAL ISSUES	0	0	1	0	0	0	1
HAND TROLL	85 TRANSFERS	-3	1	-2	-5	9	0	0
HAND TROLL	85 MIGRATIONS	-4	2	11	0	-9	0	0
HAND TROLL	85 FORFEITS	-17	0	-66	-3	-26	0	-112
HAND TROLL	85 LAPSED	-7	-1	-11	-2	-1	0	-22
HAND TROLL	85 CRIMINAL REVOKES	-1	0	0	0	0	0	-1
	85 TOTAL	638	12	1,146	45	145	0	1,986

Migrations: changes in resident type resulting from permit holders moving from one city to another.

Forfeits: permits which have been revoked because renewal fees have not been paid for two years.

Lapsed: nontransferable permits no longer fishable due to the death of the permit holder.

Criminal Revokes: permits which have been revoked due to criminal action.

Alaska Rural Local: ALASKA resident of a RURAL community which is LOCAL to the fishery for which the permit applies.

Alaska Rural Nonlocal: ALASKA resident of a RURAL community which is LOCAL to the fishery for which the permit applies.

Alaska Urban Local: ALASKA resident of an URBAN community which is LOCAL to the fishery for which the permit applies.

Alaska Urban Nonlocal: ALASKA resident of an URBAN community which is LOCAL to the fishery for which the permit applies.

Nonresident: Nonresident of ALASKA

Dept of Commerce: permits which have been foreclosed and which are temporarily the property of the state (DOC) or of the Commercial Fishing and Agriculture Bank (CFAB).

Register __, ____ 1986

FISH AND GAME

5 AAC 49.050

5 AAC 49.060

CHAPTER 49.

YAKUTAT AREA

5 AAC 49.050(a) is amended to read

5 AAC 49.050. WATERS CLOSED TO SPORT FISHING. (a) The Situk River drainage is closed to king salmon fishing upstream from the U.S. Forest Service middle cabin from July 1 through August 31, and is closed to all fishing from the old railroad bridge downstream to its mouth from June 15 through October 14. (In effect before 1985; am 5/31/85, Register 94; am __/__/86, Register __)

Authority: AS 16.05.251

5 AAC 49.060(a)(3) is added and (b)(4) and (5) are amended to read:

5 AAC 49.060. SPORT FISHING FROM COMMERCIALY LICENSED VESSELS. (a) No person may sport fish from a registered salmon hand troll or power troll vessel, as those vessels are identified by the marking requirements of 5 AAC 39.119, except that this prohibition does not apply

(3) to sport fishing for bottomfish and halibut; no halibut may be on board the vessel if there are salmon on board.

(b) The operator of a charter vessel shall register that vessel annually with the department before the vessel is used for sport fishing in salt water. The following information must be provided at the time of registration with the department:

(4) the number of the current Alaska Business License of the company or individual owning the charter service; and

(5) the number of the U.S. Coast Guard license to carry passengers for hire issued to the operator of the vessel.

(In effect before 1984; am 4/28/84, Register 90; am 5/31/85, Register 94, am __/__/86, Register __)

Authority: AS 16.05.251

(B) the Klawock River drainage upstream from the Klawock River bridge is closed to red salmon fishing.

(d) In salt water

(10) the area between the Klawock River bridge and a line from the Klawock blinker light to the Klawock oil dock is closed to red salmon fishing, and is closed to snagging; fish hooked elsewhere than in the mouth must be released immediately. (In effect before 1983; am 4/3/83; Register 85; am 4/28/84, Register 90; am 5/31/85, Register 94; am __/__/86, Register __)

Authority: AS 16.05.251

5 AAC 46.060 (a)(3) is added and (b)(4) and (5) are amended to read:

5 AAC 46.060. SPORT FISHING FROM COMMERCIALY LICENSED VESSELS. (a) No person may sport fish from a registered salmon hand troll or power troll vessel, as those vessels are identified by the marking requirements of 5 AAC 39.119, except that this prohibition does not apply

(3) to sport fishing for bottomfish and halibut; no halibut may be on board the vessel if there are salmon on board.

(b) The operator of a charter vessel shall register that vessel annually with the department before the vessel is used for sport fishing in salt water. The following information must be provided at the time of registration with the department:

(4) the number of the current Alaska Business License of the company or individual owning the charter service; and

(5) the number of the U.S. Coast Guard license to carry passengers for hire issued to the operator of the vessel.

(In effect before 1984; am 4/28/84, Register 90; am 5/31/85, Register 94, am __/__/86, Register __)

Authority: AS 16.05.251

STATE OF ALASKA 1986 LEGISLATIVE SESSION FISCAL NOTE

Revision Date : _____

REQUEST

Bill/Resolution No. : HB 492
 Title : " An Act relating to sport fishing from commercially licensed troll vessels..."
 Sponsor : Duncan
 Requestor : House Fisheries
 Date of Request : 2/03/86

FISCAL DETAIL

Agency Affected : Public Safety
 BRU : Fish & Wildlife Protection

Components : _____

EXPENDITURES/REVENUES : (Thousands of Dollars)

OPERATING	FY 86	FY 87	FY 88	FY 89	FY 90	FY 91
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0	0	0	0	0	0

CAPITAL						
---------	--	--	--	--	--	--

REVENUE						
---------	--	--	--	--	--	--

FUNDING : (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER						
TOTAL	0	0	0	0	0	0

POSITIONS :

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS : Attach a separate page if necessary

Prepared by : Kathy Niles, Admin. Ass't
 Division : Commissioner's Office

Phone : 465-4336

Date : 2/03/86

Approved by Commissioner : [Signature]
 Agency : Public Safety

Date : 2/3/86

Distribution (by Agency preparing fiscal note):

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