

ALASKA LEGISLATURE SPECIAL COMMITTEE/SUBJECT FILES 8672

2304 SCOMM 95: HOUSE SPEC. COMM. ON FISHERIES 1995-1996

9-LS0664VK

Utermohle

2/6/96

CS FOR HOUSE BILL NO. 175(FSH)
IN THE LEGISLATURE OF THE STATE OF ALASKA
NINETEENTH LEGISLATURE - SECOND SESSION

BY THE HOUSE SPECIAL COMMITTEE ON FISHERIES

Offered:

Referred:

Sponsor(s): REPRESENTATIVES AUSTERMAN, Ivan

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to licensing of fishing services operators, fishing guides, and
2 transporters; and providing for an effective date."

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

4 * Section 1. AS 16.05.330(a) is amended to read:

5 (a) Except as otherwise permitted in this chapter, without having the
6 appropriate license or tag in actual possession, a person may not engage in

7 (1) sport fishing, including the taking of razor clams;

8 (2) hunting, trapping, or fur dealing;

9 (3) the farming of fish, fur, or game; [OR]

10 (4) taxidermy; or

11 (5) providing fishing guide services to sport or personal use
12 fishermen.

13 * Sec. 2. AS 16.05.340(a) is amended by adding a new paragraph to read:

14 (25) Fishing services licenses

(A) Fishing services operator license

(i) Resident \$ 75

(ii) Nonresident 225

(B) Fishing guide license

(i) Resident 25

(ii) Nonresident 75

(C) Transporter license

(i) Resident 25

(ii) Nonresident 75.

* Sec. 3. AS 16.05.410(a) is amended to read:

(a) Upon conviction of a person of a first violation of AS 16.05.330 - 16.05.430, AS 16.40.350 - 16.40.390, or of a federal or state law or regulation for the protection of the sport fish and game of the state, the court may, in addition to the penalty imposed by law, revoke the person's license.

* Sec. 4. AS 16.05.410(b) is amended to read:

(b) Upon subsequent conviction of a person for a violation of AS 16.05.330 - 16.05.430, AS 16.40.350 - 16.40.390, or of a federal or state law or regulation for the protection of the sport fish and game of the state, the court shall revoke the person's license.

* Sec. 5. AS 16.05.815(d) is amended to read:

(d) Except as otherwise provided in this section, the department shall keep confidential (1) personal information contained in fish and wildlife harvest and usage data; and (2) the records of the department that concern (A) telemetry radio frequencies of monitored species; (B) denning sites; (C) nest locations of raptors that require special attention; (D) the specific location of animal capture sites used for wildlife research or management; [AND] (E) the specific location of fish and wildlife species; and (F) information contained in reports received by the department under AS 16.40.350 - 16.40.390. The department may release records and information that are kept confidential under this subsection if the release is necessary to comply with a court order, if the requestor is a state or federal agency, if the requestor is under contract with the state or federal agency to conduct research on a fish or wildlife

1 population, or if the requestor has been authorized by the department to perform
2 specific activities and agrees to use the records and information only for purposes as
3 provided under a contract or agreement with the department. After 25 years, the
4 records and information that are kept confidential under this subsection become public
5 records subject to inspection and copying under AS 09.25.110 - 09.25.140 unless the
6 department determines that the release of the records or information may be
7 detrimental to the fish or wildlife population. In this subsection, "personal
8 information" has the meaning given in AS 44.99.350.

9 * Sec. 6. AS 16.40 is amended by adding new sections to read:

10 ARTICLE 4. SPORT AND PERSONAL USE FISHING SERVICES.

11 Sec. 16.40.350. FISHING SERVICES OPERATOR LICENSE. (a) The
12 department shall issue an annual fishing services operator license to a person who

13 (1) holds a current business license under AS 43.70 to provide services
14 to sport and personal use fishermen;

15 (2) presents proof satisfactory to the department of a general liability
16 insurance policy, covering the services provided by the person and the person's
17 employees to sport and personal use fishermen, that provides an annual minimum
18 coverage of \$300,000; and

19 (3) pays the license fee prescribed by AS 16.05.340(a).

20 (b) A person may not provide fishing services unless the person holds a
21 current fishing services operator license.

22 (c) A person who holds a fishing services operator license may contract to
23 provide fishing guide services to a sport or personal use fisherman through an
24 employee who holds a fishing guide license issued under AS 16.40.360.

25 (d) A person who holds a fishing services operator license may not directly
26 provide fishing guide services to a sport or personal use fisherman unless the person
27 also holds a fishing guide license under AS 16.40.360.

28 Sec. 16.40.360. FISHING GUIDES. (a) A natural person may obtain an annual
29 fishing guide license if the person

30 (1) is a citizen of the United States;

31 (2) is certified in first aid and cardiopulmonary resuscitation by the
32 American Red Cross, American Heart Association, or an equivalent organization;

(3) holds a license to carry passengers for hire issued by the United States Coast Guard if the person uses a vessel in the provision of fishing guide services;

(4) holds a current sport fishing license;

(5) is an employee of a licensed fishing services operator or is a holder of a fishing services operator license; and

(6) pays the fee prescribed by AS 16.05.340(a).

(b) A person may not provide fishing guide services unless the person

(1) has first obtained a fishing guide license under this section; and

(2) is an employee of a licensed fishing services operator or also holds a fishing services operator license under AS 16.40.350.

(c) A fishing guide may provide fishing guide services only to persons who have engaged the services of the fishing services operator by whom the fishing guide is employed. A fishing guide may not contract directly with a person to provide fishing guide services to that person unless the fishing guide also holds a fishing services operator license under AS 16.40.350.

(d) A fishing guide shall be physically present while a client is engaged in sport or personal use fishing.

(e) While engaged in providing fishing guide services, a fishing guide shall physically possess

(1) a fishing guide license;

(2) the current licenses, tags, and permits that are required to engage in the sport or personal use fishery for which the fishing guide services are being provided;

(3) an identification card that has been issued to the fishing guide by a state or federal agency and that bears a photograph of the person;

(4) proof of employment as a fishing guide by a person licensed as a fishing services operator under AS 16.40.350 or proof of licensure as a fishing services operator under AS 16.40.350;

(5) proof of current certification in first aid and cardiopulmonary resuscitation; and

(6) proof of licensure by the United States Coast Guard to carry passengers for hire if the fishing guide is using a vessel in the provision of fishing guide services.

1 (f) The department shall collect information on the number of salmon, halibut,
2 and other fish taken by clients and fishing guides during the provision of fishing guide
3 services and may request information regarding the time and specific location of guiding
4 activities, the number of clients guided, the owner and identity of a vessel used for sport
5 fishing, the name of a person who employs the fishing guide to provide fishing guide
6 services, and other information the department considers appropriate.

7 (g) A fishing guide may not intentionally or knowingly aid the commission of
8 a violation of AS 16.05 - AS 16.40 or a regulation adopted under AS 16.05 - AS 16.40
9 by a sport or personal use fisherman who is a client of the fishing guide.

10 Sec. 16.40.370. TRANSPORTER LICENSE. (a) A person may obtain an
11 annual transporter license if the person

12 (1) pays the license fee prescribed by AS 16.05.340(a);

13 (2) provides proof of

14 (A) an air taxi/commercial operator certificate issued by the
15 Federal Aviation Administration under 14 C.F.R. Part 135 if the person provides
16 air transportation services to sport or personal use fishermen; and

17 (B) licensure by the Coast Guard to carry passengers for hire if
18 the person provides water transportation services to sport or personal use
19 fishermen and if licensure is required by the Coast Guard; and

20 (3) has a business license to transport sport or personal use fishermen.

21 (b) A person who holds a transporter license may provide transportation services
22 for compensation to sport or personal use fishermen.

23 (c) A person may not provide transportation services to sport or personal use
24 fishermen if the person does not hold a current transporter license issued by the
25 department.

26 (d) A person who holds a transporter license may not provide fishing operator
27 services or fishing guide services without holding the appropriate license.

28 Sec. 16.40.380. REPORTS; PENALTY. (a) A person who holds a license
29 issued under AS 16.40.350 - 16.40.390 shall comply with reporting requirements adopted
30 by regulation by the department. A person who is required to complete reports under
31 this subsection or AS 16.40.360(f) may not intentionally, knowingly, or recklessly
32 provide false, misleading, or substantially incomplete information.

(b) A person who is required to complete reports under (a) of this section or AS 16.40.360(f) may not receive a new license under AS 16.40.350 - 16.40.390 unless all reports required under this section for the preceding year have been received by the department.

(c) A person who violates AS 16.40.350 - 16.40.390 or a regulation adopted under AS 16.40.350 - 16.40.390 is guilty of a class A misdemeanor.

Sec. 16.40.390. DEFINITIONS. In AS 16.40.350 - 16.40.390,

(1) "field" means an area that is

(A) outside of established developments usually associated with a city or town; and

(B) not reasonably accessible by foot from the state road system;

(2) "fishing club" means an organization that offers use of real or personal property or services to individuals who pay a membership fee for the privilege of using the real or personal property or services for sport or personal use fishing;

(3) "fishing guide" means a natural person who holds a fishing guide license issued under AS 16.40.360;

(4) "fishing guide services" means to assist, for compensation or with the intent to receive compensation, a sport or personal use fisherman in the field to take or to attempt to take fish by personally accompanying and directing the fisherman in fishing activities; "fishing guide services" do not include

(A) an activity for which a fishing services operator license is required under AS 16.40.350;

(B) an activity for which a transporter license is required under AS 16.40.370; or

(C) services provided by assistants, deck hands, and similar persons who work directly under the supervision of and in the presence of a fishing guide;

(5) "fishing services" means the provision to sport or personal use fishermen, for compensation or with the intent to receive compensation, of fishing guide services through a person who is licensed as a fishing guide under AS 16.40.360, of outfitting services, or of fishing club services; "fishing services" does not include

(A) an activity for which a fishing guide license is required under

1 AS 16.40.360;

2 (B) an activity for which a transporter license is required under
3 AS 16.40.370; or

4 (C) booking and other ancillary services provided by a tour
5 broker or agent to a fishing services operator;

6 (6) "outfitting" means the provision of equipment or services to sport or
7 personal use fishermen in the field;

8 (7) "transportation services" means the carriage for compensation of sport
9 or personal use fishermen, their equipment, or fish harvested by sport or personal use
10 fishermen to, from, or in the field; "transportation services" do not include the carriage
11 of sport or personal use fishermen, their equipment, or fish harvested by sport or
12 personal use fishermen by

13 (A) aircraft

14 (i) on nonstop flights between state or federally
15 maintained airports; or

16 (ii) by an air taxi operator or air carrier for which the
17 carriage of sport and personal use fishermen, their equipment, or fish
18 harvested by sport and personal use fishermen is only an incidental, as
19 defined by the department, portion of its business; or

20 (B) vessel by a fishing guide during and directly incidental to the
21 provision of fishing guide services.

22 * Sec. 7. This Act takes effect January 1, 1997.

9-LS0664\M ✓

Utermohle

2/14/96

CS FOR HOUSE BILL NO. 175(FSH)**IN THE LEGISLATURE OF THE STATE OF ALASKA****NINETEENTH LEGISLATURE - SECOND SESSION****BY THE HOUSE SPECIAL COMMITTEE ON FISHERIES**

Offered:

Referred:

Sponsor(s): REPRESENTATIVES AUSTERMAN, Ivan

A BILL**FOR AN ACT ENTITLED**

1 "An Act relating to licensing of sport fishing services operators, fishing guides,
2 and transporters; and providing for an effective date."

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

4 * Section 1. AS 16.05.330(a) is amended to read:

5 (a) Except as otherwise permitted in this chapter, without having the
6 appropriate license or tag in actual possession, a person may not engage in

7 (1) sport fishing, including the taking of razor clams;

8 (2) hunting, trapping, or fur dealing;

9 (3) the farming of fish, fur, or game; [OR]

10 (4) taxidermy; or

11 (5) providing fishing guide services to sport or personal use
12 fishermen.

13 * Sec. 2. AS 16.05.340(a) is amended by adding a new paragraph to read:

14 (25) Fishing services licenses

(A) Sport fishing services operator license

(i) Resident \$ 75

(ii) Nonresident 225

(B) Fishing guide license

(i) Resident 25

(ii) Nonresident 75

(C) Transporter license

(i) Resident 25

(ii) Nonresident 75.

* Sec. 3. AS 16.05.815(d) is amended to read:

(d) Except as otherwise provided in this section, the department shall keep confidential (1) personal information contained in fish and wildlife harvest and usage data; and (2) the records of the department that concern (A) telemetry radio frequencies of monitored species; (B) denning sites; (C) nest locations of raptors that require special attention; (D) the specific location of animal capture sites used for wildlife research or management; [AND] (E) the specific location of fish and wildlife species; and (F) information contained in reports received by the department under AS 16.40.350 - 16.40.390. The department may release records and information that are kept confidential under this subsection if the release is necessary to comply with a court order, if the requestor is a state or federal agency, if the requestor is under contract with the state or federal agency to conduct research on a fish or wildlife population, or if the requestor has been authorized by the department to perform specific activities and agrees to use the records and information only for purposes as provided under a contract or agreement with the department. After 25 years, the records and information that are kept confidential under this subsection become public records subject to inspection and copying under AS 09.25.110 - 09.25.140 unless the department determines that the release of the records or information may be detrimental to the fish or wildlife population. In this subsection, "personal information" has the meaning given in AS 44.99.350.

* Sec. 4. AS 16.40 is amended by adding new sections to read:

ARTICLE 4. SPORT AND PERSONAL USE FISHING SERVICES.

1 Sec. 16.40.350. SPORT FISHING SERVICES OPERATOR LICENSE. (a)

2 The department shall issue an annual sport fishing services operator license to a person
3 who

4 (1) holds a current business license under AS 43.70 to provide services
5 to sport and personal use fishermen;

6 (2) presents proof satisfactory to the department of a general liability
7 insurance policy or marine protection and indemnity liability insurance policy, covering
8 the services provided by the person and the person's employees to sport and personal
9 use fishermen, that provides an annual minimum coverage of \$300,000; and

10 (3) pays the license fee prescribed by AS 16.05.340(a).

11 (b) A person may not provide sport fishing services unless the person holds
12 a current sport fishing services operator license.

13 (c) A person who holds a sport fishing services operator license may contract
14 to provide fishing guide services to a sport or personal use fisherman through an
15 employee who holds a fishing guide license issued under AS 16.40.360.

16 (d) A person who holds a sport fishing services operator license may not
17 directly provide fishing guide services to a sport or personal use fisherman unless the
18 person also holds a fishing guide license under AS 16.40.360.

19 Sec. 16.40.360. FISHING GUIDES. (a) A natural person may obtain an annual
20 fishing guide license if the person

21 (1) is a citizen of the United States or a resident alien;

22 (2) is certified in first aid and cardiopulmonary resuscitation by the
23 American Red Cross, American Heart Association, or an equivalent organization;

24 (3) holds a license to carry passengers for hire issued by the United
25 States Coast Guard, if the person uses a vessel in the provision of fishing guide services
26 and the license is required by the United States Coast Guard;

27 (4) holds a current sport fishing license; and

28 (5) pays the fee prescribed by AS 16.05.340(a).

29 (b) A person may not provide fishing guide services unless the person

30 (1) has first obtained a sport fishing guide license under this section; and

31 (2) is an employee of a licensed sport fishing services operator or also
32 holds a sport fishing services operator license under AS 16.40.350.

(c) A fishing guide may provide fishing guide services only to persons who have engaged the services of the sport fishing services operator by whom the fishing guide is employed. A fishing guide may not contract directly with a person to provide fishing guide services to that person unless the fishing guide also holds a sport fishing services operator license under AS 16.40.350.

(d) A fishing guide shall be physically present while a client is engaged in sport or personal use fishing from a vessel. A fishing guide shall accompany a client in the field while the client is engaged in sport or personal use fishing.

(e) While engaged in providing fishing guide services, a fishing guide shall physically possess

(1) a fishing guide license;

(2) the current licenses, tags, and permits that are required to engage in the sport or personal use fishery for which the fishing guide services are being provided;

(3) a driver's license or similar identification card issued by a state or federal agency and that bears a photograph of the fishing guide;

(4) proof of employment as a fishing guide by a person licensed as a sport fishing services operator under AS 16.40.350 or proof of licensure as a sport fishing services operator under AS 16.40.350;

(5) proof of current certification in first aid and cardiopulmonary resuscitation; and

(6) proof of licensure by the United States Coast Guard to carry passengers for hire, if the fishing guide is using a vessel in the provision of fishing guide services and the license is required by the United States Coast Guard.

(f) A fishing guide may not intentionally or knowingly aid the commission of a violation of AS 16.05 - AS 16.40 or a regulation adopted under AS 16.05 - AS 16.40 by a sport or personal use fisherman who is a client of the fishing guide.

Sec. 16.40.370. TRANSPORTER LICENSE. (a) A person may obtain an annual transporter license if the person

(1) pays the license fee prescribed by AS 16.05.340(a);

(2) provides proof of

(A) an air taxi/commercial operator certificate issued by the Federal Aviation Administration under 14 C.F.R. Part 135 if the person provides

1 air transportation services to sport or personal use fishermen; and

2 (B) licensure by the Coast Guard to carry passengers for hire if
3 the person provides water transportation services to sport or personal use
4 fishermen and if licensure is required by the Coast Guard; and

5 (3) has a business license to transport sport or personal use fishermen.

6 (b) A person who holds a transporter license may provide transportation services
7 for compensation to sport or personal use fishermen.

8 (c) A person may not provide transportation services to sport or personal use
9 fishermen if the person does not hold a current transporter license issued by the
10 department.

11 (d) A person who holds a transporter license may not provide sport fishing
12 services or fishing guide services without holding the appropriate license.

13 (e) A person who holds a transporter license shall submit a report to the
14 department concerning sport or subsistence use fishermen who are transported by the
15 person and who, at the time of transportation, possess more than 100 pounds of fish for
16 each day engaged in fishing in the field.

17 Sec. 16.40.380. REPORTS; PENALTY. (a) The department shall collect
18 information on the number of king salmon, sockeye salmon, coho salmon, chum salmon,
19 and halibut taken by clients and fishing guides during the provision of fishing guide
20 services. The department may collect information on the number of pink salmon taken
21 by clients and fishing guides during the provision of fishing guide services and other
22 information the department considers appropriate.

23 (b) A person who holds a license issued under AS 16.40.350 - 16.40.390 shall
24 comply with reporting requirements adopted by regulation by the department.

25 (c) A person who is required to complete reports under this section or
26 AS 16.40.370 may not intentionally, knowingly, or recklessly provide false, misleading,
27 or substantially incomplete information.

28 (d) A person who is required to complete reports under this section or
29 AS 16.40.370 may not receive a new license under AS 16.40.350 - 16.40.390 unless all
30 reports required under this section for the preceding year have been received by the
31 department.

32 (e) A person who violates AS 16.40.350 - 16.40.390 or a regulation adopted

1 under AS 16.40.350 - 16.40.390 is guilty of a class A misdemeanor.

2 Sec. 16.40.390. DEFINITIONS. In AS 16.40.350 - 16.40.390,

3 (1) "field" means an area that is

4 (A) outside of established developments usually associated with
5 a city or town; and

6 (B) not reasonably accessible by foot from the state highway
7 system;

8 (2) "fishing club" means an organization that offers use of real or
9 personal property or services to individuals who pay a membership fee for the privilege
10 of using the real or personal property or services for sport or personal use fishing;

11 (3) "fishing guide" means a natural person who holds a fishing guide
12 license issued under AS 16.40.360;

13 (4) "fishing guide services" means to assist, for compensation or with the
14 intent to receive compensation, a sport or personal use fisherman in the field to take or
15 to attempt to take fish by accompanying or personally directing the fisherman in sport
16 or personal use fishing activities; "fishing guide services" do not include

17 (A) an activity for which a sport fishing services operator license
18 is required under AS 16.40.350;

19 (B) an activity for which a transporter license is required under
20 AS 16.40.370; or

21 (C) services provided by assistants, deck hands, and similar
22 persons who work directly under the supervision of and in the presence of a
23 fishing guide;

24 (5) "highway" has the meaning given in AS 19.45.001;

25 (6) "outfitting" means the provision of equipment or services to sport or
26 personal use fishermen in the field;

27 (7) "sport fishing services" means the provision to sport or personal use
28 fishermen, for compensation or with the intent to receive compensation, of fishing guide
29 services through a person who is licensed as a fishing guide under AS 16.40.360, of
30 outfitting services, or of fishing club services; "sport fishing services" does not include

31 (A) an activity for which a fishing guide license is required under
32 AS 16.40.360;

1 (B) an activity for which a transporter license is required under
2 AS 16.40.370; or

3 (C) booking and other ancillary services provided by a tour
4 broker or agent to a fishing services operator;

5 (8) "transportation services" means the carriage for compensation of sport
6 or personal use fishermen, their equipment, or fish harvested by sport or personal use
7 fishermen to, from, or in the field; "transportation services" do not include the carriage
8 of sport or personal use fishermen, their equipment, or fish harvested by sport or
9 personal use fishermen by

10 (A) aircraft

11 (i) on nonstop flights between state or federally
12 maintained airports; or

13 (ii) by an air taxi operator or air carrier for which the
14 carriage of sport and personal use fishermen, their equipment, or fish
15 harvested by sport and personal use fishermen is only an incidental, as
16 defined by the department, portion of its business; or

17 (B) aircraft or vessel by a fishing guide during and directly
18 incidental to the provision of fishing guide services.

19 * Sec. 5. This Act takes effect January 1, 1997.

SCOMM

95:23

Alaska State Legislature

REPRESENTATIVE
GENE THERRIAULT

P.O. Box 55326
North Pole, Alaska 99705
(907) 488-0862

House District 33



While in Juneau
State Capitol
Juneau, Alaska
99801-1182
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House Of Representatives

CSHB 179
work draft "c"

"An Act relating to the commissioner of education and the commissioner of fish and game; and providing for an effective date."

SPONSOR: Representative Gene Therriault

Sectional Analysis:

- Section 1:** Amends AS 14.07.145(c). The commissioner of education serves at the pleasure of the board and may not have a fixed term. It also eliminates the removal for cause reference.
- Section 2:** Amends AS 16.05.010. Removes the requirement that the commissioner of fish and game serves a five year term.
- Section 3:** Amends AS 44.39.030. Reaffirms the commissioner of fish and game serves at the pleasure of the governor and removes the five year term.
- Section 4:** Amends AS 44.39.050. Clarifies that the governor may remove the commissioner of fish and game without a request from the Board of Fisheries and the Board of Game.
- Section 5:** Repeals AS 14.07.145(f) which lists the causes by which a commissioner of education may be removed. (f) is not needed due to changes made in section 1.
- Section 6:** Changes apply to appointments made after the effective date.
- Section 7:** Provides an immediate effective date.

HOUSE COMMITTEE REPORT

(5)

Date Referred: February 13, 1995

FURTHER REFERRALS:

HESS
Finance

Date of Committee Action: 2-14-96

The HOUSE SPECIAL COMMITTEE ON FISHERIES Committee considered:

HB 179

HOUSE BILL NO. 179

LIMIT TERM OF COMMRS OF EDUC. & FISH/GAME

"An Act relating to the commissioner of education and the commissioner of fish and game; and providing for an effective date."

recommends it be replaced
with the following committee substitute

CS HB 179 (FSH)

☒ the same title
☐ a new title

☐ additional referral to _____ Committee
☐ attached amendment(s)

ADOPTS: _____ Letter of Intent

ATTACHES NEW FISCAL NOTE(s): (Dept)

APPROVES PREVIOUS:

(Dept/Date)

☐ fiscal note(s) _____

☐ fiscal note(s) _____

☒ zero fiscal note(s) By the House

☐ zero fiscal note(s) _____

Special Committee on Fisheries

SIGNING WITH RECOMMENDATIONS	DP	DNP	NR	AM
<u>Scott Ryan</u>			☒	
<u>AT - J. Q.</u>			☒	
<u>George L. Davis</u>	☒			
<u>William C. Lister</u>			☒	

CHAIR'S SIGNATURE

William C. Lister

Alaska State Legislature

REPRESENTATIVE
GENE THERRIAULT

Mailing Address:
119 N. Cushman, Suite 101
Fairbanks, Alaska 99701
(907) 488-0862
Fax: (907) 488-4271



House Of Representatives

While in Juneau
State Capitol
Juneau, Alaska
99801-1182
(907) 465-4797
Fax: (907) 465-3884

House District 33

MEMORANDUM

TO: Representative Alan Austerman
Chairman, House Fisheries Committee

FROM: Representative Gene Therriault 

DATE: April 7, 1995

RE: Scheduling of House Bill 179

I would like to request that House Bill 179, "An Act relating to the commissioner of education and the commissioner of fish and game; and providing for an effective date," be scheduled for a hearing before the House Fisheries Committee.

House Bill 179 seeks to amend current statutes to clarify that no Commissioner of Fish and Game or Education can enter into a contract that extends past the term of the current Governor. At present there is no standard that specifically defines the terms of the Commissioner of Education or Fish and Game, or prohibits the negotiated buyout of the Commissioner's contract. HB 179 is an attempt to rectify this situation.

I appreciate your time and consideration.

9-LS0701\NC
Lauterbach
2/7/96

CS FOR HOUSE BILL NO. 179()

IN THE LEGISLATURE OF THE STATE OF ALASKA

NINETEENTH LEGISLATURE - SECOND SESSION

BY

**Offered:
Referred:**

Sponsor(s): REPRESENTATIVE THERRIAULT

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to the commissioner of education and the commissioner of fish
2 and game; and providing for an effective date."

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

4 * Section 1. AS 14.07.145(c) is amended to read:

5 (c) The commissioner serves at the pleasure of the board and may not be
6 appointed by the board for a fixed term [OF OFFICE NOT TO EXCEED FIVE
7 YEARS. THE COMMISSIONER MAY BE REMOVED DURING A TERM OF
8 OFFICE BY FOUR MEMBERS OF THE BOARD FOR CAUSE AS DEFINED IN
9 THIS SECTION].

10 * Sec. 2. AS 16.05.010 is amended to read:

11 Sec. 16.05.010. COMMISSIONER OF FISH AND GAME. The commissioner
12 is the principal executive officer of the Department of Fish and Game. The
13 commissioner shall be a qualified executive with knowledge of the requirements for
14 the protection, management, conservation, and restoration of the fish and game

resources of the state. [THE COMMISSIONER SHALL BE APPOINTED FOR A TERM OF FIVE YEARS.]

* Sec. 3. AS 44.39.030 is amended to read:

Sec. 44.39.030. APPOINTMENT [AND TERM OF OFFICE] OF COMMISSIONER. The governor shall appoint the commissioner of fish and game from a list of qualified persons nominated by the Board of Fisheries and the Board of Game meeting in joint session, subject to the right of the governor to request additional nominations. The appointment shall be confirmed by a majority of the members of the legislature in joint session. The commissioner of fish and game serves at the pleasure of the governor and may not be appointed for a fixed term [OF FIVE YEARS].

* Sec. 4. AS 44.39.050 is amended to read:

Sec. 44.39.050. REMOVAL OF COMMISSIONER. The Board of Fisheries or the Board of Game may submit a resolution to the governor requesting the removal of the commissioner. The resolution shall set out the grounds for the request and the governor shall give the commissioner and both boards an opportunity to be heard. The final decision to remove or retain the commissioner shall be made by the governor. The governor may also remove the commissioner without being requested to do so by a board.

* Sec. 5. AS 14.07.145(f) is repealed.

* Sec. 6. This Act applies to appointments made by the Board of Education and the governor, as applicable, on or after the effective date of this Act.

* Sec. 7. This Act takes effect immediately under AS 01.10.070(c).

FISCAL NOTE

STATE OF ALASKA
1996 LEGISLATIVE SESSION

BILL NO. CSHB 179 (FSH)

Title: relating to the commissioner of education
and the commissioner of fish and game; and
Sponsor: ~~providing for an effective date~~
Requestor: House Special Committee on Fisheries

Dept. Affected ATI
BRU: _____
Components: _____
Serial # _____

EXPENDITURES/REVENUES: (THOUSANDS OF DOLLARS)

OPERATING	FY 97	FY 98	FY 99	FY 00	FY 01	FY 02
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants, Claims						
Miscellaneous						
TOTAL OPERATING	0	0	0	0	0	0

CAPITAL	0	0	0	0	0	0
---------	---	---	---	---	---	---

REVENUE	0	0	0	0	0	0
---------	---	---	---	---	---	---

FUNDING: (THOUSANDS OF DOLLARS)

General Fund						
Federal Fund						
Other						
TOTAL	0	0	0	0	0	0

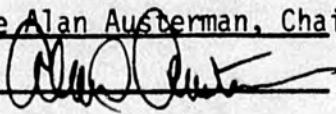
POSITIONS:

Full-Time						
Part-Time						
Temporary						

ANALYSIS: (ATTACH A SEPARATE PAGE IF NECESSARY)

see attached analysis

Prepared by: House Special Committee on Fisheries
Representative Alan Austerman, Chair



Date: 2/14/96

Phone: 465-2487

Phone:

CS FOR HOUSE BILL NO. 179(FSH)

IN THE LEGISLATURE OF THE STATE OF ALASKA

NINETEENTH LEGISLATURE - SECOND SESSION

BY THE HOUSE SPECIAL COMMITTEE ON FISHERIES

Offered:

Referred:

Sponsor(s): REPRESENTATIVE THERRIAULT

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to the commissioner of education and the commissioner of fish
2 and game; and providing for an effective date."

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

4 * Section 1. AS 14.07.145(c) is amended to read:

5 (c) The commissioner serves at the pleasure of the board and may not be
6 appointed by the board for a fixed term [OF OFFICE NOT TO EXCEED FIVE
7 YEARS. THE COMMISSIONER MAY BE REMOVED DURING A TERM OF
8 OFFICE BY FOUR MEMBERS OF THE BOARD FOR CAUSE AS DEFINED IN
9 THIS SECTION].

10 * Sec. 2. AS 16.05.010 is amended to read:

11 Sec. 16.05.010. COMMISSIONER OF FISH AND GAME. The commissioner
12 is the principal executive officer of the Department of Fish and Game. The
13 commissioner shall be a qualified executive with knowledge of the requirements for
14 the protection, management, conservation, and restoration of the fish and game

1 resources of the state. [THE COMMISSIONER SHALL BE APPOINTED FOR A
2 TERM OF FIVE YEARS.]

3 * Sec. 3. AS 44.39.030 is amended to read:

4 Sec. 44.39.030. APPOINTMENT [AND TERM OF OFFICE] OF
5 COMMISSIONER. The governor shall appoint the commissioner of fish and game
6 from a list of qualified persons nominated by the Board of Fisheries and the Board of
7 Game meeting in joint session, subject to the right of the governor to request
8 additional nominations. The appointment shall be confirmed by a majority of the
9 members of the legislature in joint session. The commissioner of fish and game serves
10 at the pleasure of the governor and may not be appointed for a fixed term [OF
11 FIVE YEARS].

12 * Sec. 4. AS 44.39.050 is amended to read:

13 Sec. 44.39.050. REMOVAL OF COMMISSIONER. The Board of Fisheries
14 or the Board of Game may submit a resolution to the governor requesting the removal
15 of the commissioner. The resolution shall set out the grounds for the request and the
16 governor shall give the commissioner and both boards an opportunity to be heard. The
17 final decision to remove or retain the commissioner shall be made by the governor.
18 The governor may also remove the commissioner without being requested to do
19 so by a board.

20 * Sec. 5. AS 14.07.145(f) is repealed.

21 * Sec. 6. This Act applies to appointments made by the Board of Education and the
22 governor, as applicable, on or after the effective date of this Act.

23 * Sec. 7. This Act takes effect immediately under AS 01.10.070(c).

TONY KNOWLES, GOVERNOR

PLEASE REPLY TO:

☐ 1031 WEST 4TH AVENUE, SUITE 200
ANCHORAGE, ALASKA 99501-1994
PHONE: (907) 269-5100
FAX: (907) 276-3697

☐ KEY BANK BUILDING
100 CUSHMAN ST., SUITE 400
FAIRBANKS, ALASKA 99701-4679
PHONE: (907) 451-2811
FAX: (907) 451-2846

☒ P.O. BOX 110300-DIMOND COURT HOUSE
JUNEAU, ALASKA 99811-0300
PHONE: (907) 465-3600
FAX: (907) 465-6735

(FAX) 465-2539

DEPARTMENT OF LAW

OFFICE OF THE ATTORNEY GENERAL

February 8, 1996

Honorable Gene Therriault
Alaska State Legislature
State Capitol-Room 421
Juneau, AK 99801-1182

Re: CSHB 179 -- An Act relating to
the commissioner of education
and the commissioner of fish
and game; and providing for an
effective date

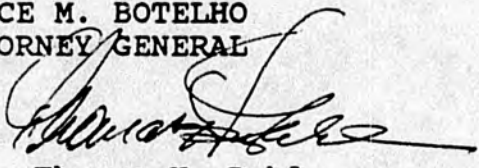
Dear Representative Therriault:

At your request, we have reviewed the working draft
given to us today. We believe the proposed language solves the
problems you have identified in the present law. The changes are
consistent with the discussion we had with your staff on Tuesday,
February 6, and we support the bill.

Thank you for allowing us to assist you in this way.

Sincerely yours,

BRUCE M. BOTELHO
ATTORNEY GENERAL

By: 
Thomas H. Dahl
Assistant Attorney General

JAR:pao

cc: Pat Pourchot, Legislative Director
Office of the Governor

Chrystal Smith, Legal Administrator
Department of Law

Deborah Behr, Assistant Attorney General
Department of Law

Steve White, Assistant Attorney General
Department of Law

REPRESENTATIVE
GENE THERRIAULT

Mailing Address:
119 N. Cushman, Suite 101
Fairbanks, Alaska 99701
(907) 488-0862
Fax: (907) 488-4271

Alaska State Legislature



House Of Representatives

While in Juneau
State Capitol
Juneau, Alaska
99801-1182
(907) 465-4797
Fax: (907) 465-3884

House District 33

SPONSOR STATEMENT

HB 179

HB 179: An Act relating to the commissioner of education and the commissioner of fish and game; and providing for an effective date.

SPONSOR: Representative Gene Therriault

SPONSOR STATEMENT:

HB 179 is an effort to address the current discrepancies associated with Gubernatorial appointments to fill the positions of Commissioner of Fish and Game and Commissioner of Education. At present there is no standard that specifically defines the terms of the Commissioner of Education or Fish and Game, limits them to the term of the current governor or prohibits the negotiated buyout of the Commissioner's contract, which we have learned, can be problematic and expensive.

Under current law the Commissioners of Fish and Game and Education both work for boards who can negotiate terms of employment that extend past the term of the existing governor. When this happens and the governor is not retained in office, the new governor has to wait for the commissioner's contract to expire or buy the contract out. This problem is exacerbated when there is a shift in political philosophy from one governor to the next.

HB 179 proposes to amend the current statutes to clarify that no Commissioner of Fish and Game or Education can enter into a contract that extends past the term of the current Governor. Passage of this bill would ensure a smooth transitions from one commissioner to the next during changes in administration.

SCOMM

95:24

**DIVISION OF LEGAL SERVICES
LEGISLATIVE AFFAIRS AGENCY
STATE OF ALASKA**

(907) 465-3867 or 465-2450
FAX (907) 465-2029
Mail Stop 3101

130 Seward Street, Suite 409
Juneau, Alaska 99801-2105

MEMORANDUM

February 15, 1995

SUBJECT: Summary of certain statutes relating to the wholesomeness of food products (Work Order No. 9-LS0158\C)

TO: Representative Carl Moses
Attn: Cheryl Sutton

FROM: George Utermohle *GU*
Legislative Counsel

This memorandum summarizes certain statutes governing the wholesomeness of food products.

AS 03.05.011 sets out the authority of the commissioner of environmental conservation to issue orders, regulations, permits, quarantines, and embargoes relating to labeling of meat, seafood, and poultry; examination and inspection of meat, fish, and poultry advertised for sale; enforcement of quality assurance plans; inspection for pests and infested food products; cooperation with federal and state agencies; regulation of fur farming; and monitoring of aquatic farms and aquatic farm products.

AS 03.05.020 sets out the duties of the commissioner of environmental conservation in regard to inspection of food animals, fish, and poultry; prohibiting the transportation and sale of food products that do not meet state standards; regulating the labeling and production of milk and milk products; establishing an inspection program for reindeer; designating points of entry for livestock and poultry into the state; and establishing a schedule of fees for services provided by the state veterinarian.

AS 03.05.025 provides that a person may not operate a seafood processing establishment or vessel without a seafood processing permit and an approved plan of operation.

AS 03.05.026 provides that the Alaska Seafood Marketing Institute may design an "inspection" seal and a "premium quality" seal. The commissioner of environmental conservation shall authorize the use of the seals by seafood processors who meet requirements established by the commissioner.

AS 03.05.035 prohibits the mislabeling of frozen foods. Meat, fish, or poultry that have been frozen must be labeled as frozen food and may not be sold or represented as fresh food. The commissioner of environmental conservation shall adopt regulations for the labeling of frozen

meat, fish, and poultry and for the inspection of meat, fish, and poultry to determine whether they had been frozen.

AS 03.05.040 provides that the commissioner of natural resources and the commissioner of environmental conservation may, as appropriate, enter a storehouse, warehouse, cold storage plant, packing house, slaughterhouse, retail store, or other place to inspect agricultural, fisheries, or aquatic farm products.

AS 03.05.050 provides that the commissioner of natural resources or the commissioner of environmental conservation, as appropriate, may declare an agricultural or fisheries product that violates provisions of AS 03.05, or regulations adopted under AS 03.05, to be a public nuisance injurious to the public interest. Such products may not be moved and are subject to the directions of the appropriate commissioner.

AS 03.05.090 provides that a person who violates AS 03.05 or a regulation, order, quarantine, or permit issued under AS 03.05 is guilty of a class A misdemeanor.

AS 17.20.020 establishes what is adulterated food.

AS 17.20.040 establishes when food is mislabeled.

AS 17.20.050 provides that the commissioner of environmental conservation may issue permits governing the manufacture, processing, or packing of a class of food, if such permits are necessary to protect the public health from food contaminated with microorganisms that cannot be identified as a dangerous food product after the product enters commerce.

AS 17.20.060 provides that the commissioner of environmental conservation may suspend a permit issued under AS 17.20.050, if the commissioner finds that the terms of the permit are being violated. The commissioner may reinstate the permit if the terms of the permit have been satisfied.

AS 17.20.070 provides that the commissioner of environmental conservation may inspect a factory or establishment that holds a permit under AS 17.20.050.

AS 17.20.180 provides that the Department of Environmental Conservation and the Department of Health and Social Services may adopt regulations as necessary to enforce the Alaska Food, Drug and Cosmetic Act (AS 17.20).

AS 17.20.200 provides that the commissioner of environmental conservation shall have free access to a factory, warehouse, or establishment where foods are manufactured, processed, packed, or held for introduction into commerce in order to inspect the facility for compliance with AS 17.20 and to collect samples for examination.

Representative Carl Moses
February 15, 1995
Page 3

AS 17.20.230 provides that the commissioner of environmental conservation may place an embargo on food that the commissioner has probable cause to believe is adulterated or so misbranded as to be fraudulent or dangerous.

AS 17.20.240 provides that the commissioner of environmental conservation shall petition the superior court for a libel for condemnation of food embargoed under AS 17.20.230.

AS 17.20.250 provides that the commissioner of environmental conservation shall destroy an embargoed food product after the superior court enters a decree under AS 17.20.240.

AS 17.20.260 provides that food subject to an embargo and to a decree of the superior court may be returned to a person for relabeling or further processing if the adulteration or the mislabeling can be cured by relabeling or further processing. The person who claims the food for relabeling or further processing shall pay the costs of the commissioner of environmental conservation to supervise the relabeling or further processing and shall post sufficient bond to assure that the food is brought into compliance with AS 17.20.

AS 17.20.270 provides that commissioner of environmental conservation shall immediately destroy, condemn, or render unsalable as human food any meat, seafood, poultry, vegetable, fruit, or other perishable article in any room, building, vehicle, or other structure that is unsound or contains a filthy, decomposed, or putrid substance or a substance that may be poisonous or hazardous to the public health.

AS 17.20.280 provides that the commissioner of environmental conservation may apply to the superior court for an injunction to prevent certain acts prohibited under AS 17.20.290.

AS 44.46.020 sets out the duties of the Department of Environmental Conservation including the adoption of regulations for the prevention and control of public nuisances, regulation of sanitation and sanitary practices in the interest of public health, and standards of cleanliness and sanitation in connection with the construction, operation, and maintenance of a camp, cannery, food handling establishment, food manufacturing establishment, and other establishments where lack of sanitation may create a condition that causes disease.

AS 46.03.100 - 46.03.120 provides for the issuance, modification, or termination of a permit for the disposal of waste material or waste water.

If I may be of further assistance, please advise.

GU:glc
95-145.glc

Alaska State Legislature

Representative Carl E. Moses

CHAIRMAN
HOUSE RULES COMMITTEE

CHAIRMAN
HOUSE SPECIAL COMMITTEE FISHERIES

MEMBER FINANCE SUBCOMMITTEES ON:
DEPT. OF FISH AND GAME
DEPT. OF PUBLIC SAFETY



SESSION:
CAPITAL BUILDING, ROOM 204
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PHONE: (907) 465-4451
FAX: (907) 455-3445

INTERIM
716 W. 4TH AVE. #630
ANCHORAGE, AK 99501-2133
PHONE: (907) 258-8167
FAX: (907) 258-8468

SPONSOR STATEMENT

House Bill 208

"An Act relating to seafood processing plans of operation and seafood processing standard operating procedures; relating to quality assurance plans; and providing for an effective date."

House Bill 208 is designed to assist Alaska's seafood processing industry in the worldwide adaptation to global trade policies, such as the General Agreement on Trade and Tariffs (GATT) and the North American Free Trade Agreement (NAFTA), which seek to eliminate barriers to trade and make possible improved commerce among the nations of the world. At the same time these global trade policies are being enacted, ongoing efforts to "harmonize" or "equilibrate" food safety regulations that could otherwise impede the flow of commerce and intent of these policies is occurring.

For almost three years, long-standing international organizations like Codex Alimentarius and the European Community through its "Food Directives," have been holding negotiations with U.S. counterparts in the federal Food and Drug Administration (FDA), the National Marine Fisheries Service (NMFS) and the United States Department of Agriculture (USDA) on the topic of the science-based system of food safety known as Hazard Analysis Critical Control Point (HACCP). All parties agree this system of ensuring a safe food supply around the world is the standard of the future. Talks aimed at regulation equivalency continue - the ultimate goal being a secure, safe trade in food products around the world. Later this summer, on the national level, the FDA will announce its HACCP based mandatory seafood safety program for American seafood processors and importers.

ADAK • AKUTAN • AMCHITKA • ATKA • ATTU • BELKOFSKI • CHERNOFSKI • CHIGNIK • CHIGNIK LAGOON • CHIGNIK LAKE
COLD BAY • DUTCH HARBOR • EGEIK • EKWOK • FALSE PASS • IVANOF BAY • KING COVE • KING SALMON • KOLIGANEK • LEVELOCK • NAKNEK
NELSON LAGOON • NEW STUYAHOK • NIKOLSKI • PEDRO BAY • PERRYVILLE • PILOT POINT • PORT HEIDEN • PORT MOLLER • SAND POINT
SHEMYA • SQUAW HARBOR • SOUTH NAKNEK • ST. GEORGE ISLAND • ST. PAUL ISLAND • UGASHIK • UNALASKA • UNGA

House Bill 208 is intended to bring the seafood inspection program in Alaska into equivalency with regulations coming about both internationally and in the U.S. domestic market. Language in this proposed bill will require that all plans of operation be consistent with the HACCP procedures for seafood production established by regulations of the federal FDA. Other changes are intended to eliminate duplication in the language of the statute that go beyond the goal of safety as covered under a mandatory HACCP program.

To understand why these changes are necessary, HACCP must be discussed. HACCP identifies product/process hazards to determine critical control points which can be controlled, monitored and recorded. HACCP is designed to *prevent* problems before they start. Under these regulations, seafood processors and importers must develop HACCP plans appropriate to their business, monitor those plans, and keep records that FDA can review as part of its inspection and surveillance activities.

HACCP plans would need to be designed to prevent only those hazards that affect human safety; and, only those safety hazards that are "reasonably likely" to occur. FDA is requiring, with the seafood industry in agreement, HACCP be *safety* focused in order to minimize the unnecessarily large number of non-safety related critical control points which are covered by a multitude of other regulations.

House Bill 208 seeks to harmonize the state regulations with the federally mandated regulations as well as international regulations (i.e. European Union); improve the ability of the seafood industry to have a competitive edge in the world market through its HACCP compliance; compete cost-effectively; contribute to Alaska's economy; and, last, but most importantly, place *safe* seafood products in the world market.

Alaska State Legislature

Representative Carl E. Moses

CHAIRMAN
HOUSE RULES COMMITTEE

CHAIRMAN
HOUSE SPECIAL COMMITTEE FISHERIES

MEMBER FINANCE SUBCOMMITTEES ON:
DEPT. OF FISH AND GAME
DEPT. OF PUBLIC SAFETY



SESSION:
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PHONE: (907) 258-8167
FAX: (907) 258-8468

FACT SHEET ABOUT HACCP

What is HACCP?

The Food and Drug Administration (FDA) is proposing to adopt regulations to ensure the safe processing and importing of fish and fishery products. These procedures include the monitoring of selected processes in accordance with Hazard Analysis Critical Control Point (HACCP) principles.

HACCP is a preventative system of hazard control that can be used by food processors and importers. FDA is proposing these regulations because of a system of preventive controls is the most effective and efficient way to ensure that these products are safe.

The purpose of these proposed regulations is to establish mandatory preventive controls to ensure the safety of seafood products sold commercially in the United States and exported abroad.

HACCP is a system by which food processors and importers can evaluate the kinds of hazards that could affect their products, institute controls necessary to keep these hazards from occurring, monitor the performance of these controls, and maintain records of this monitoring as a matter of routine practice.

The HACCP system will produce a more efficient system for ensuring the safety of seafood products than currently exists.

HACCP places primary responsibility upon the industry.

A nationally mandated HACCP system will provide a basis for enhanced consumer confidence.

The National Academy of Sciences (NAS) recommended that improvements be made in the present system of regulatory control and repeatedly recommended HACCP controls.

International Trade

International trade is also a major consideration in determining the advisability and benefits of a new system of seafood regulation.

A nationally mandated HACCP-type system of controls appears to be a prerequisite for continued access to world markets.

It is estimated that close to 40 percent of the fish and shellfish harvested from the world's oceans, lakes, and other bodies of water entered international trade in 1991.

The United States is the world's largest exporter of fishery products. In 1991, the United States exported more than \$3 billion worth of seafood.

Both Canada and the European Community (EU) have implemented or are in the process of implementing mandatory HACCP based seafood inspection programs.

Failure by the United States to adopt a mandatory HACCP-based inspection system may ultimately undermine its export success with considerable economic consequences.

FISCAL NOTE

STATE OF ALASKA
1995 LEGISLATIVE SESSION

BILL NO. CS HB208

Revision Date: _____
Title: Seafood Processing Standards
Sponsor: Representative Moses
Requestor: H(FSH)

Department Affected: Environmental Conservation
BRU: Environmental Health
Component: Seafood/Sanitation Inspection

COMPONENT SERIAL NO. 1936

Expenditures/Revenues:

(Thousands of Dollars)

	FY 96	FY 97	FY 98	FY 99	FY 00	FY 01
OPERATING EXPENDITURES						
PERSONAL SERVICES	0.0	0.0	0.0	0.0	0.0	0.0
TRAVEL	0.0	0.0	0.0	0.0	0.0	0.0
CONTRACTUAL	0.0	0.0	0.0	0.0	0.0	0.0
SUPPLIES	0.0	0.0	0.0	0.0	0.0	0.0
EQUIPMENT	0.0	0.0	0.0	0.0	0.0	0.0
LAND&STRUCTURES	0.0	0.0	0.0	0.0	0.0	0.0
GRANTS, CLAIMS	0.0	0.0	0.0	0.0	0.0	0.0
MISCELLANEOUS	0.0	0.0	0.0	0.0	0.0	0.0
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES	0.0	0.0	0.0	0.0	0.0	0.0
----------------------	-----	-----	-----	-----	-----	-----

CHANGE IN REVENUES ()	0.0	0.0	0.0	0.0	0.0	0.0
------------------------	-----	-----	-----	-----	-----	-----

FUND SOURCE

1002 Federal Receipts	0.0	0.0	0.0	0.0	0.0	0.0
1003 GF Match	0.0	0.0	0.0	0.0	0.0	0.0
1004 GF	0.0	0.0	0.0	0.0	0.0	0.0
1005 GF/Program Receipt	0.0	0.0	0.0	0.0	0.0	0.0
1006 GF/MHTIA	0.0	0.0	0.0	0.0	0.0	0.0
Other	0.0	0.0	0.0	0.0	0.0	0.0
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY95) cost: \$ 0.0

POSITIONS:

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

ANALYSIS: (Attach a separate page if necessary.)

The intent of the bill is to substitute a federally required Hazardous Analysis Critical Control Point (HACCP) plan for the statutorily required Plan of Operation so that processors need only develop a single plan which could be submitted to both the federal Food & Drug Administration and the State.

Prepared by: Larry Jones
Division: Director, Division of Administrative Services

Phone: 465-5010
Date: 3/21/95

Approved by Commissioner: Larry Jones
Agency: Department of Environmental Conservation

Date: 3/21/95

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STATE OF ALASKA

DEPARTMENT OF COMMERCE AND ECONOMIC DEVELOPMENT

DIVISION OF ECONOMIC DEVELOPMENT

WALTER J. HICKEL, GOVERNOR

P.O. BOX 110804
JUNEAU, ALASKA 99811-0804
PHONE: (907) 465-2017

Division of Economic Development Department of Commerce and Economic Development

supports HB 208

House Bill 208 seeks to have state regulations mirror new federally-mandated seafood inspection regulations as well as international regulations. This will improve the ability of the Alaska seafood industry to successfully compete in the domestic and international marketplace.

The bill requires that Alaska seafood inspection regulations be consistent with the HACCP inspection regulations recently promulgated by FDA. HACCP (Hazard Analysis at Critical Control Points) regulations were developed by FDA to standardize and improve seafood safety regulations. Similar regulatory development has occurred in the EU. By harmonizing Alaska seafood safety regulations with those in the global marketplace, Alaska seafood processors can better market products across state lines and international boundaries.

**Dutch Harbor Seafoods, Ltd.**

15110 Northeast 90th Street
P.O. Box 97049
Redmond, Washington 98073-9749
(206) 881-8181 FAX (206) 882-1660

MAR 22 1995

March 22, 1995

BY FAX COMMUNICATION TO:

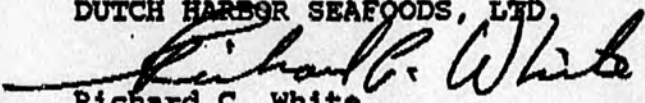
Cheryl Sutton, Staff Fisheries Specialist
Office of Representative Carl E. Moses
Fax No. 907-465-3445

Dear Ms. Sutton,

On behalf of Dutch Harbor Seafoods, Ltd., I want to express our full support for House Bill No. 208, which has been introduced in the State of Alaska House of Representatives.

I feel that this Bill is extremely important to the seafood industry. The public demands, and deserves, assurance that safe seafood products will be the only products coming from our industry. House Bill No. 208 ensures that all processors, large and small, will implement quality control/quality assurance programs that meet this demand. It is equally important that future quality assurance programs followed by the Alaska seafood industry be consistent with the Hazard Analysis Critical Control Points (HACCP) regulations being proposed by the federal Food and Drug Administration. House Bill No. 208 accomplishes this objective as well.

Sincerely,
DUTCH HARBOR SEAFOODS, LTD.


Richard C. White
President

cc: Mr. Rick Lauber, Pacific Seafood Processors Assn.-Juneau
Mr. Roger DeCamp, National Food Processors Assn.-Seattle
Mr. L. John Iani-UniSea

MAR 22 1995



March 21, 1995

BY FAX COMMUNICATION TO:

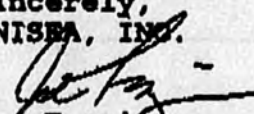
Cheryl Sutton, Staff Fisheries Specialist
Office of Representative Carl E. Moses
Fax No. 907-465-3445

Dear Ms. Sutton,

We are writing to express our strong support for House Bill No. 208, now before the State of Alaska Legislature, House of Representatives.

We feel that this Bill is of vital importance to the seafood industry, not only to protect its integrity, but also to ensure that only the safest products produced by the Alaska seafood industry are offered for sale to the public. It is important that future quality assurance programs followed by the Alaska seafood industry be consistent with the Hazard Analysis Critical Control Points (HACCP) regulations being proposed by the federal Food and Drug Administration. House Bill No. 208 accomplishes this objective.

Sincerely,
UNISEA, INC.



Joe Frazier
Director of Quality Assurance

cc: Mr. Rick Lauber, Pacific Seafood Processors Assn.-Juneau
Mr. Roger DeCamp, Nation Food Processors Assn.-Seattle
Mr. L. John Iani-UniSea

OCEAN BEAUTY

SEAFOODS, INC.

March 21, 1995

VIA FAX

The Honorable Carl Moses
Alaska House of Representatives
Capital Building, Room 204
Juneau, Alaska

Re: HOUSE BILL 208

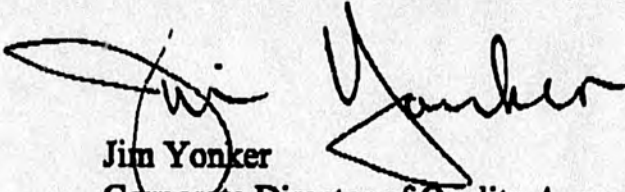
Dear Representative Moses:

Please be advised that Ocean Beauty Seafoods, Inc. supports your bill requesting a change in the current ADEC statutes to incorporate the Food and Drug Administration's "Seafood Safety" HACCP proposal.

You and your fellow representatives should be commended for your efforts to harmonize the regulations that affect Alaska's seafood products on an international, national, and state level. Your efforts in HB 208 will allow for a safe food product produced in Alaska to compete in all markets.

Very truly yours,

OCEAN BEAUTY SEAFOODS, INC.



Jim Yonker
Corporate Director of Quality Assurance
and Government Relations

JY:mab

cc: William Terhar, Executive V.P. & C.O.O.

Regional Specialties

Eyak

Select Provisions

Eyak Packing CompanyCannery Direct Mail Order
Smoked & Canned Alaska Salmon of Finest Quality

MAR 22 1995

MARCH 22, 1995

To/ Representative Moses

Eyak Packing was established in 1983 -
We are 100% ALASKAN OWNED and we EMPLOY
ALASKANS - we support House Bill NO. 208 100%
and THANK you for your efforts.

Sincerely,

Gerald Masolini

Gerald MASOLINI

Owner/Manager
Eyak Packing Co.

P.O. Box 1131 • Cordova, Alaska 99574 • 800-424-5399 • 907-424-5300 • Fax: 907-424-5303

329-333 Katlian Street

Sitka, Alaska 99835



3/22/95

Representative Carl E. Moses
Alaska State Legislature

Dear Carl:

Unfortunately, we will be unable to attend or partake in the teleconference hearing today. The Sitka Sound Seine Sac Roe Herring Fishery is rapidly approaching.

We do however, want to go on record and state that Sitka Sound Seafoods, Inc. both endorses and supports House Bill No. 208. Please contact us if you need any additional support in writing.

Sincerely,

Harold K. Thompson
President, SSS

Gail B. Stromme
SSS Government Compliance

(907) 747-8862
TELEFAX (907) 747-6268
Telex 090-45-391 SSSSEAFOOD SITKA

FRESH AND FROZEN SALMON, COD, BLACK COD, HALIBUT, ROCK FISH, CRAB, HERRING



MAR 22 1995

**ALASKA PACIFIC SEAFOODS**

DIVISION OF NORTH PACIFIC PROCESSORS, INC.

HOME OFFICE: 2300 EASTLAKE AVE. EAST • SEATTLE, WASHINGTON 98102 • (206) 726-9900

P.O. BOX 31179 • SEATTLE, WASHINGTON 98103-1179

PROCESSING PLANT: 627 S. LUTHER AVE. • KODIAK, ALASKA 99581 • (907) 426-3223

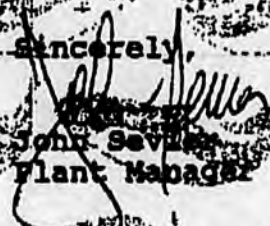
March 22, 1995

Representative Carl E. Moses, Chair
House Rules Committee
State of Alaska Legislative

The seafood industry has been under inspection for many years, while the fish industry has not. Whether or not the fishing industry has a perceptual or factual problem as it relates to our food items and disease, the consumer needs to have greater confidence in our products.

I support House Bill 288 in its entirety. I'm pleased to see our State Representatives guiding the fishing industry down a path which will help market our fish in future times.

Sincerely,


John Sevier
Plant Manager

JS/sjn

Processors of Quality Alaska Seafoods



East Point
seafood company

420 MARINE WAY • P.O. BOX 1637
KODIAK, ALASKA 99615
TELEPHONE: (907) 486-5799
FACSIMILE: (907) 486-4079

March 22, 1995

MAR 22 1995

Cheryl Sutton c/o Carl Moses
House of Representatives, Alaska State Legislature
State Capitol
Juneau AK 99801-1182

Re: HB 208

Dear Ms. Sutton:

I would like you to know that East Point Seafoods fully supports the above-mentioned bill.

It will allow the seafood processors of Alaska to operate under one set of rules that will insure all seafood produced within the state will be safe and wholesome.

Sincerely

Charles L. Jensen
Manager, Gov't Relations/Quality Assurance

Packers of East Point Canned Pacific Shrimp, Fresh Pacific Oysters,
Alaskan Salmon, Halibut and Frozen King, Snow, and Dungeness Crab



SEAFOOD PRODUCERS COLD STORAGE, INC.

PRODUCERS, PROCESSORS & MARKETERS OF PREMIUM QUALITY SEAFOODS

DATE: 3/22/95

TO: Carl Moses, Representative

ATTN:

FROM: Tim Northrop, Plant Manager

MESSAGE: Representative Moses,

We support House Bill 208. It is important to us that we not have to react to two different sets of regulations covering the same situation in our industry. If you need anything from us, please contact us.

OFFICE: 2876 ROEDER AVE. • BELLINGHAM, WA 98225
PHONE (206) 733-0120 • FAX (206) 733-0513

PLANT: 507 KATLIAN • SITKA, ALASKA 99535
PHONE (907) 747-RR11 • FAX (907) 747-3208

SCOMM

95:25



REPRESENTATIVE ALAN AUSTERMAN Alaska State Legislature

P.O. Box 2368, Kodiak, Alaska 99615 (907) 486-5930 • Session: State Capitol, Juneau, Alaska 99801 465-2487

FAX COVER SHEET

DATE: 2/15/96

TO: Lauree Thompson - Inn Empire

FROM: Cliff 586-3228 9097 (C)

RE: HB 257

PAGES: ~~21~~ pages to follow

... probably more than you'll
ever want to know about
this topic.

Page 17 → 37
never fixed
always busy

OK?

SPONSOR STATEMENT

HB 254 - "SPLITTING THE BOARD OF FISH"

April 11, 1995

House Bill 254 provides for a separate 7 member Board of Fish to address the concerns of the marine fisheries (whitefish) and crab leaving the present Board of Fish to then only address salmon and freshwater fisheries issues. There is much concern that the current workload of the Board of Fish has increased to an unmanageable level. The workload is dominated by the two most contentious salmon fishing areas of the state: Cook Inlet and the False Pass/AYK Region. As a consequence, the part of the commercial fishing industry which harvests most of the poundage in the state ^{is} ~~are~~ often undermanaged and often misunderstood.

I have introduced this legislation in response to industry concerns and in order to maintain a more reasonable workload on the Board of Fish. Your consideration of this solution is appreciated.

Much better ☺

**BOARD OF FISHERIES
COST PER MEETING DAY
FISCAL YEAR 95**

SCENARIO 1 (DOES NOT INCLUDE ADVISORY COMMITTEES EXPENSES)

TOTAL FY 95 EXPENDITURES FOR BOARD OF FISHERIES: \$255,894.00

TOTAL MEETING DAYS: 48 = 3 yrs cycle -
COST PER DAY: \$5,331.13

COST PER MEETING 94/95 CYCLE:

OCT	2	\$10,662.25
NOV	11	\$58,642.38
JAN	12	\$63,973.50
FEB	12	\$63,973.50
MAR	10	\$53,311.25
TELECONFERENCE	1	\$5,331.13
		<u>\$255,894.00</u>

SCENARIO 2 (INCLUDES ADVISORY COMMITTEES EXPENSES)

The following figures are based on 6 Advisory committee members traveling to board of fisheries meeting and attending for 5 days.

FY95 per diem rate: 95.00 per day
Average airline fare: 450.00 round trip

Airfare: \$2,700 (six persons x 450)
Per diem \$2,850 (six person x 95 per day x 5 days)
\$5,550

2850 x 4 mtgs = 11,400.00
2700 x 4 mtgs = 10,800.00

Total ac expense based on 4 meetings: 22,200.00
scenario 1 total 255,894.00
278,094.00

Total cost per day: \$6,179.87 (based on 45 meetings days)

*Assume - same time frame
1 ex dir*

Sound system

2 yr Cycle = 75 Days per yr.

*Control # meeting days
to control cost*

FISCAL NOTE

STATE OF ALASKA
1995 LEGISLATIVE SESSION

BILL NO. HB254

Revision Date: _____ Dept. Affected: Fish and Game
Title: Establish Two Fish Boards BRU: Boards of Fisheries and Game
Component: Board Services
Sponsor: Rep. Austerman
Requester: House Fisheries COMPONENT SERIAL NO. 482

Expenditures/Revenues (Thousands of Dollars)

OPERATING EXPENDITURES	FY 96	FY 97	FY 98	FY 99	FY 00	FY 01
PERSONAL SERVICES	120.0	170.0	170.0	170.0	170.0	170.0
TRAVEL	76.9	115.4	153.8	153.8	153.8	153.8
CONTRACTUAL	43.6	65.4	87.2	87.2	87.2	87.2
SUPPLIES	5.0	5.0	5.0	5.0	5.0	5.0
EQUIPMENT	29.0	0.0	0.0	0.0	0.0	0.0
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	274.5	355.8	416.0	416.0	416.0	416.0

CAPITAL EXPENDITURES						
----------------------	--	--	--	--	--	--

CHANGE IN REVENUES ()						
------------------------	--	--	--	--	--	--

FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF	274.5	355.8	416.0	416.0	416.0	416.0
1005 GF/Program Receipts						
1006 GF/MHTIA						
Other						
TOTAL	274.5	355.8	416.0	416.0	416.0	416.0

Estimate of any current year (FY95) cost: \$ 0.0

POSITIONS

FULL-TIME	2	3	3	3	3	3
PART-TIME						
TEMPORARY						

ANALYSIS: (Attach a separate page if necessary)

This bill would establish a separate "Board of Fisheries." This board would need to meet during the same time period as the other two boards (between the calendar months of October and March). Thus, an Executive Director level and Public Technician level people will need to be hired to staff the new board. In the second year, the level of the new board would increase, thus requiring the hiring of a regulations level person to file regulations. The level of travel of the original Board of Fisheries would essentially remain the same (we presume the board would adjust the meeting cycle back to a two year cycle from the three year cycle). The level of travel of the new board would start out short, but would increase up to the current level of the current boards. Since the new board would be meeting during the same time period, a new sound system would need to be acquired.

Prepared by: Laird A. Jones Phone: 485-6098
Division: Administration/Boards Support Section Date: 4/10/95
Approved by Commissioner: Frank Rue Date: _____
Agency: Fish and Game

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SPONSOR STATEMENT

HB 254 - "SPLITTING THE BOARD OF FISH"

April 11, 1995

House Bill 254 provides for a separate 7 member Board of Fish to address the concerns of the marine fisheries (whitefish) and crab leaving the present Board of Fish to then only address salmon and freshwater fisheries issues. There is much concern that the current workload of the Board of Fish has increased to an unmanageable level. The workload is dominated by the two most contentious salmon fishing areas of the state: Cook Inlet and the False Pass/AYK Region. As a consequence, the part of the commercial fishing industry which harvests most of the poundage in the state, are often undermanaged and often misunderstood.

I have introduced this legislation in response to industry concerns and in order to maintain a more reasonable workload on the Board of Fish. Your consideration of this solution is appreciated.

**DIVISION OF LEGAL SERVICES
LEGISLATIVE AFFAIRS AGENCY
STATE OF ALASKA**

(907) 465-3867 or 465-2450
FAX (907) 465-2029
Mail Stop 3101

130 Seward Street, Suite 409
Juneau, Alaska 99801-2105

MEMORANDUM

March 30, 1995

SUBJECT: Sectional Summary of HB 254; An Act relating to the management of fish and aquatic plants; establishing the Board of Salmon and Freshwater Fisheries and the Board of Marine Fisheries.

TO: Representative Alan Austerman
Attn: Amy Daugherty

FROM: George Utermohle *GU*
Legislative Counsel

You have requested a sectional summary of HB 254; An Act relating to the management of fish and aquatic plants; establishing the Board of Salmon and Freshwater Fisheries and the Board of Marine Fisheries.

A sectional summary of a bill is not an authoritative interpretation of the bill. The bill itself is the best statement of its contents.

HB 254 contains a large number of bill sections that make only technical conforming amendments to reflect the creation of the Board of Salmon and Freshwater Fisheries and the Board of Marine Fisheries to replace the current Board of Fisheries. This summary of HB 254 describes only those bill sections that substantively relate to the creation of the boards or to the allocation of jurisdiction over a particular subject matter to a single board.

Section 1 of the bill sets out the purpose of the bill.

Section 6 of the bill amends AS 16.05.221(a) to create the Board of Salmon and Freshwater Fisheries.

Section 8 of the bill adds new subsections to AS 16.05.221 to establish the Board of Marine Fisheries and to describe the respective jurisdictions of the two new fisheries boards.

Section 17 of the bill amends AS 16.05.258(c) to provide for joint meetings of the Board of Game, Board of Salmon and Freshwater Fisheries, and the Board of Marine Fisheries regarding the establishment of nonsubsistence areas.

Sections 21 and 22 of the bill make technical changes to AS 16.05.315 and 16.05.320 regarding joint board meetings and quorum requirements for joint board meetings.

Sections 28 and 29 of the bill amend AS 16.05.632(e) and 16.05.685(c)(2) to give responsibility for regulating the marking of shellfish gear and establishing king crab registration areas to the Board of Marine Fisheries.

Section 33 of the bill amends AS 16.05.730(d) to give the Board of Salmon and Freshwater Fisheries responsibility for management of wild and enhanced fish stocks.

Sections 41 - 43 of the bill amend AS 16.10.125, 16.05.165(b), and 16.10.173(b) to give responsibility for regulation of termination devices on pot gear, utilization of herring, and utilization of pollock to the Board of Marine Fisheries.

Section 47 of the bill amends AS 16.10.440(b) to give responsibility to the Board of Salmon and Freshwater Fisheries for regulating the taking of salmon eggs for private nonprofit hatcheries.

Sections 56 and 57 of the bill amend AS 16.43.430 and 16.05.440(a) to give responsibility to the Board of Salmon and Freshwater Fisheries for regulating the take of salmon in special harvest areas.

Sections 63 and 64 of the bill amend AS 39.50.200(b) to provide that members of the Board of Salmon and Freshwater Fisheries and the Board of Marine Fisheries are subject to the conflict of interest law (AS 39.50).

Sections 75 - 80 of the bill amend provisions of AS 41.21 and AS 41.23 to provide that the Board of Salmon and Freshwater Fisheries may adopt regulations in certain preserves and public use areas.

Sections 85 and 86 of the bill amend AS 44.62.330(a) to provide that the Board of Salmon and Freshwater Fisheries and the Board of Marine Fisheries are subject to the administrative adjudication provisions of the Administrative Procedure Act.

Sections 87 and 88 of the bill make technical amendments to AS 46.15.035 and 46.15.037 to define fish as those species of salmon and freshwater fish that may be taken under regulations of the Board of Salmon and Freshwater Fisheries.

Section 91 of the bill provides for continuation of regulations adopted by the current Board of Fisheries and the current joint Board of Fisheries and Board of Game pending the adoption of regulations by the new fisheries boards and the new joint boards.

Section 92 of the bill provides for the appointment and confirmation of the members of the new Board of Salmon and Freshwater Fisheries and the new Board of Marine Fisheries.

Representative Alan Austerman
March 30, 1995
Page 3

Section 93 of the bill provides for the implementation of this bill in the event that the effective date provision (sec. 94) of the bill does not receive the required two-thirds vote of each house of the legislature.

Section 94 of the bill provides that the substantive provisions of the bill (secs. 1 - 91) take effect on July 1 following the confirmation of five members of each of the new boards established by this bill.

GU:glc
95-277.glc

**DIVISION OF LEGAL SERVICES
LEGISLATIVE AFFAIRS AGENCY
STATE OF ALASKA**

(907) 465-3867 or 465-2450
FAX (907) 465-2029
Mail Stop 3101

130 Seward Street, Suite 409
Juneau, Alaska 99801-2105

MEMORANDUM

February 1, 1995

SUBJECT: Restructure of the Board of Fisheries (Work Order No. 9-LS0517\A)

TO: Representative Al Austerman
Attn: Amy Daugherty

FROM: George Utermohle *GU*
Legislative Counsel

You have requested a bill that divides the responsibilities of the present Board of Fisheries among two boards. The attached bill accomplishes that result.

Numerous statutes must be changed to accomplish the bill's goal. Most sections of the bill make technical and conforming amendments to existing statutes. The key provisions of the bill are described below.

The bill reallocates the responsibilities of the Board of Fisheries between the Board of Salmon and Freshwater Fisheries and the Board of Marine Fisheries. The Board of Salmon and Freshwater Fisheries will manage salmon and other anadromous fish wherever they occur in the state and other fishery resources and aquatic plants present in the state's freshwater areas. Sec. 6. The Board of Marine Fisheries will manage the fishery resources and aquatic plants, other than salmon and other anadromous fish, present in the state's saltwater areas. Sec. 8. The boards may adopt regulations as necessary to further refine their jurisdiction as to species and areas, except that the Board of Marine Fisheries may not exercise any jurisdiction over salmon and other anadromous fish unless the Board of Salmon and Freshwater Fisheries specifically delegates the necessary authority. Sec. 8. The boards may decide between themselves as to whether one or both boards will exercise jurisdiction in estuaries and similar transitional zones between fresh and salt water. Sec. 8.

Section 17 makes a substantive change to the procedure for establishing nonsubsistence areas under AS 16.05.258. This change is made to simplify consideration of nonsubsistence areas by allowing the Board of Marine Fisheries to abstain from meetings on this subject if they do not affect matters within the jurisdiction of the board.

Section 92 requires the governor to appoint the members of the new boards. This section of the bill takes effect 90 days after the bill is signed by the governor or the bill otherwise

Representative Al Austerman

February 1, 1995

Page 2

becomes law. The remainder of the bill does not take effect until July 1 after the legislature has confirmed at least five of the members of each of the boards.

Section 91 is a transitional provision which continues the existing regulations of the Board of Fisheries.

Section 94 is the effective date for secs. 1 - 91 of the bill. Just in case the sec. 94 does not pass, sec. 93 prevents the bill from having any effect before the members of the new boards are confirmed by the legislature.

If I may be of further assistance, please advise.

GU:glc
95-107.glc

Enclosure

**DIVISION OF LEGAL SERVICES
LEGISLATIVE AFFAIRS AGENCY
STATE OF ALASKA**

(907) 465-3867 or 465-2450
FAX (907) 465-2029
Mail Stop 3101

130 Seward Street, Suite 409
Juneau, Alaska 99801-2105

MEMORANDUM

March 30, 1995

SUBJECT: Sectional Summary of HB 254; An Act relating to the management of fish and aquatic plants; establishing the Board of Salmon and Freshwater Fisheries and the Board of Marine Fisheries.

TO: Representative Carl Moses
Attn: Cheryl Sutton

FROM: George Utermohle *GU*
Legislative Counsel

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Representative Carl Moses

March 30, 1995

Page 2

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Representative Carl Moses

March 30, 1995

Page 3

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* * *

This portion of the bill summary for HB 254 lists those bill sections that make technical and conforming amendments to reflect the creation of the Board of Salmon and Freshwater Fisheries and the Board of Marine Fisheries to replace the current Board of Fisheries.

Sections 2-5, 7, 9-16, 18-20, 23-27, 30-32, and 33-40 of the bill make technical and conforming amendments to provisions of AS 16.05.

Sections 44-46 of the bill make technical and conforming amendments to provisions of AS 16.10.

Sections 48 and 49 of the bill make technical and conforming amendments to provisions of AS 16.20.

Sections 50-52 of the bill make technical and conforming amendments to provisions of AS 16.40.

Sections 53-55 and 58-61 of the bill make technical and conforming amendments to provisions of AS 16.43.

Sections 62, 65-74, and 81-84 of the bill make technical and conforming amendments to statutes outside of AS 16.

Sections 89 and 90 of the bill make technical and conforming amendments to provisions of ch. 1, SSSLA 1992, relating to subsistence, which is scheduled to take effect on October 1, 1995.

GU:klb

95-223.klb

**KODIAK LONGLINE
VESSEL OWNERS' ASSOCIATION**



326 CENTER AVENUE, P.O. BOX
KODIAK, ALASKA 99615
(907) 486-3781 FAX (907) 486-24

HALIBUT • SABLEFISH • PACIFIC COD • CRAB

April 12, 1995

House Special Committee on Fisheries
Rep. Alan Austerman, Chair
House of Representatives
State Capitol
Juneau, AK 99801-1182
Fax (907) 465-4956

RECEIVED

APR 13 1995

Ans'd.....

Dear Representative Austerman,

The members of the Kodiak Longline Vessel Owners' Association fully support HB 254, establishing the Board of Salmon and Freshwater Fisheries and the Board of Marine Fisheries.

The current board process does not allow for the adequate monitoring of crab and groundfish fisheries issues. We believe the separation proposed in this bill will provide for ample attention to be given to crab and groundfish issues, while not detracting from the importance of salmon and freshwater fisheries issues. This is why we suggested such a separation in our proposal to the Knowles transition team.

The members of the KLVOA appreciate and support your efforts to improve the function and capability of the board process in this manner.

Sincerely,

Linda Kozak

Alaska Groundfish Data Bank

TO: REPRESENTATIVE ALAN AUSTERMAN
STATE OF ALASKA, HOUSE OF REPRESENTATIVES

RE: TWO FISH BOARDS - HB 254

DATE: APRIL 11, 1995

SENT BY FAX: 2 PP

Dear Alan:

Alaska Groundfish Data Bank supports HB 254 establishing a groundfish/shellfish board of fish in addition to the current board.

We originated this idea a number of years ago and are pleased to see that its time has come.

REASONS FOR SEEKING A SHELLFISH/GROUNDFISH BOARD OF FISH

1. The current Board of Fish is composed of fishermen who are engaged in the salmon and herring fisheries. Because the state's herring and salmon fisheries differ among regions, the board composition needs to include people from the major regions -- this does not leave room for a representatives of the State's large boat groundfish and shellfish fisheries, fisheries which are as regionally diverse as the salmon fisheries.

As a result the groundfish/shellfish fishery issues before the Board are dealt with by people who do their best but have no or little independent experience with these fisheries. The situation is similar to convening a board of trawlers to set regulations for the salmon fishery. The State is not well served giving such short shift to its groundfish and shellfish fisheries.

2. The groundfish and shellfish fisheries are mainly prosecuted in the winter months, while the salmon fisheries are prosecuted mainly in the summer months. Since many of the Board member fish salmon, the Board meetings dealing with groundfish and shellfish issues are usually held during the peak of these fisheries, precluding attendance by many Alaskans, particularly those who operate their own vessels, from attending the board meeting.

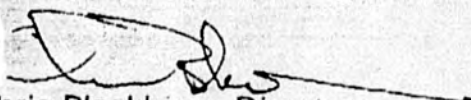
This is no different than holding a board meeting on salmon issues in July -- something that is rarely, if ever, done.

3. We fully expect that in the long run the State of Alaska will eventually be in a position to take over management of many of the groundfish fisheries, particularly those in the Gulf of Alaska. Without a working groundfish/shellfish board most of the groundfish/shellfish industry would heatedly oppose such a takeover on the grounds that the current board is not set up to adequately understand their industry. These complaints are presistent in the Bering Sea crab fishery where management authority has been delegated to the State of Alaska.

We are aware that there is concern over how a second Board of Fish would be funded. Quite frankly we don't see much additional cost since there should be no increase in issues and therefore no need for additional staff. There might be some additional increase in travel costs. I do not sense that industry would be adverse to some reasonable assessment to meet these costs. The scallop company I represent would be glad to pay an assessment if it meant having their issues heard by a board which understood their fishery.

Thank you for the opportunity to comment on HB 254.

Sincerely,

A handwritten signature in black ink, appearing to read 'Chris Blackburn', with a long horizontal line extending to the right.

Chris Blackburn, Director
Alaska Groundfish Data Bank



KODIAK FISH COMPANY

E/V Alliance I/V Provider
P. O. Box 469
Kodiak, Alaska 99615-0469



April 10, 1995

The Honorable Alan Austerman
Alaska State Legislature
State Capitol
P. O. Box 20261
Juneau, AK 99802

Re: HB 254

Dear Alan:

We would like to submit our comments regarding HB 254 which relates to modification of the Board of Fish.

We are strongly in support of expansion and splitting of the Board of Fish as defined in HB 254 with minor modification. The Board of Fish now deals with far greater diversity of fisheries and resources than ever imagined by the legislature when the board process was initially defined. In terms of salmon, the issues which come before the board now are alone enough to occupy seven people who are already familiar with those fisheries. Unfortunately, there are many of us involved in other fisheries who believe we get short shrift. Efforts to have the board represent all the diverse fisheries in the State are always going to be wanting as long as one board of seven industry people is the sole regulation maker.

Accordingly, we believe an additional board should be created - as specified in HB 254. The only reservation we have about board responsibility in HB 254 is limiting the current board to salmon and freshwater fish issues. We would suggest that herring be added to the salmon board responsibilities. There are at least two good reasons for this change. First, many of the same participants who fish salmon also fish herring. Having two different board structures would be highly inconvenient and expensive for those who participate in both fisheries. Believe me, we know. We have two boats, one currently ruled by board action and the other by Council action. A mom and pop business, as most of those are in Alaska, is hard pressed to follow one process closely.

Second, if you list those species and fisheries managed by the Board of Salmon and the Board of Marine Fisheries as stipulated in HB 254, the Board of Marine Fisheries has a far broader range of species. As many salmon and/or herring participants engage in the other fishery as well, it seems logical to include herring in with the Board of Salmon and thus

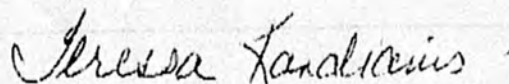
reduce the domain of the Board of Marine Fisheries. It would be pointless to begin with a creation that would be overloaded as is the current Board of Fish.

Further, a lay board assumes that participants bring to the table a wealth of experience which aids decision making. But a wealth of experience in salmon and herring doesn't necessarily aid in decision making about Bering Sea crab fisheries or scalloping. If seats on a board are to be relegated to those who have experience in those fisheries, a board which combines salmon and herring is imminently logical and allows the seats on the other board to be divided more fairly among the plethora of other species that board must manage.

Our other concern is funding of a second board. We are particularly uneasy about staffing shortages which would preclude adequate analysis for the Board's deliberations. Staff provides the research and support the boards must have in order to study a diversity of species and management regimes. As you know, we support a user fee system so that users of a resource contribute toward management of that resource. We believe this is one use of such a fee system and would urge you to amend HB 254 to initiate industry user fees which would be used to defray board costs. Otherwise, we fear that current and appropriate legislative initiatives to control the budget would stifle the urgent need to expand the Board of Fish.

We thank you for the opportunity to make these comments.

Sincerely,

A handwritten signature in cursive script, reading "Teressa Kandianis".

TERESSA AND MARK KANDIANIS

SCOMM

95:26



KEEPING YOUR CHILDREN DRUG FREE...

"Hooked On Fishing- Not On Drugs"



This booklet was developed by Future Fisherman Foundation® staff Dave Case, Sharon Rushton and Ann Romer with the assistance of Dr. Charles Flatter, drug prevention and child development specialist at the University of Maryland and Marcel Malfregeot, drug free schools coordinator for Harrison County Schools, WV. Additional input was provided by Verdie Abel, Ohio Division of Wildlife, and Mark LaBarbera, *North American Fisherman*. Graphic design and production management was provided by Phisz Design.

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The Future Fisherman Foundation is the educational arm of the American Sportfishing Association.

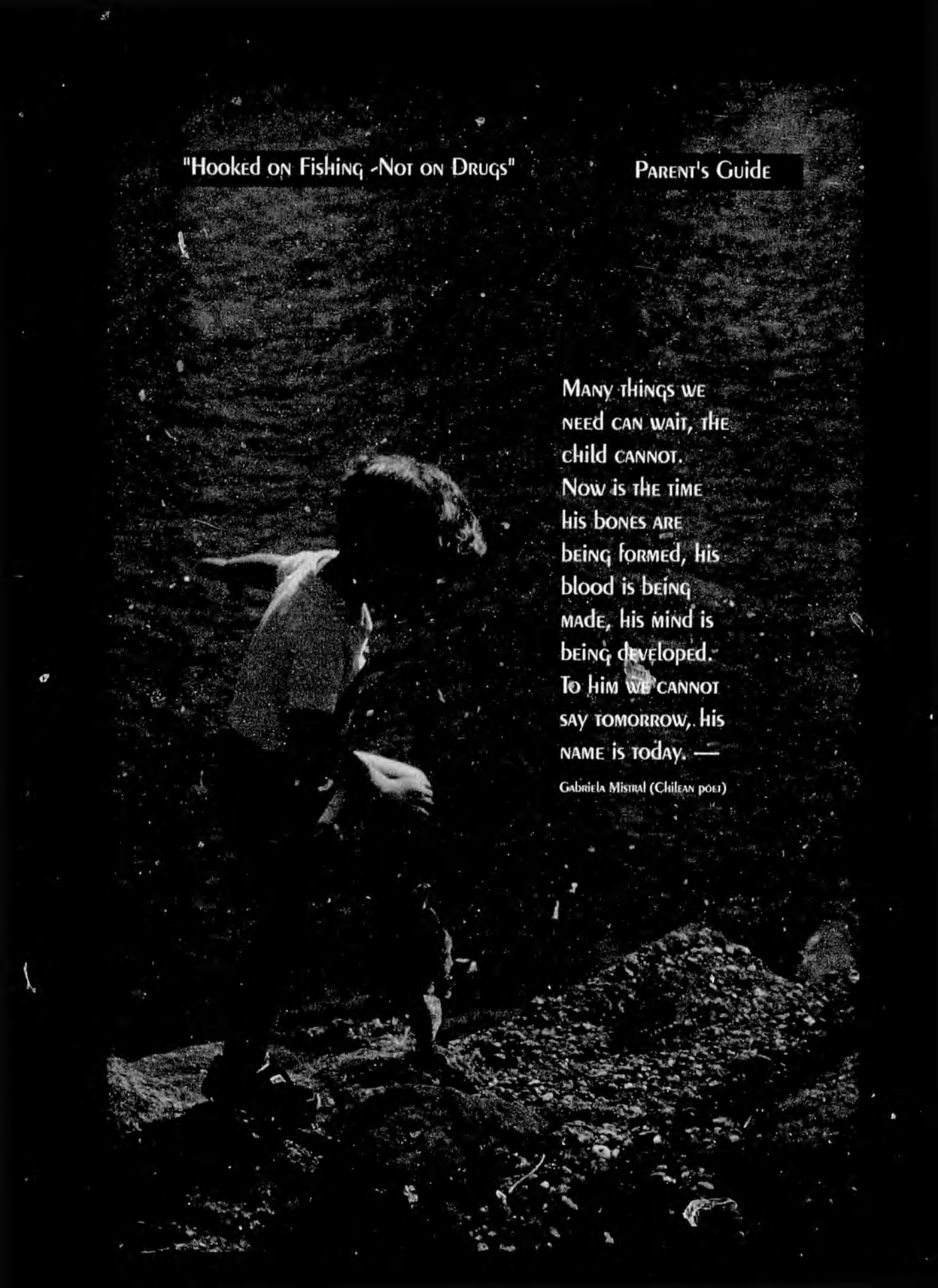
"Hooked On Fishing - Not On Drugs" is a program of the Future Fisherman Foundation.



American
Sportfishing Association



Printed on recycled paper



"Hooked ON Fishing -NOT ON DRUGS"

PARENT'S Guide

MANY THINGS WE
NEED CAN WAIT, THE
child CANNOT.
Now is the time
his bones ARE
BEING FORMED, his
blood is BEING
MADE, his mind is
BEING DEVELOPED.
TO HIM WE CANNOT
say TOMORROW, his
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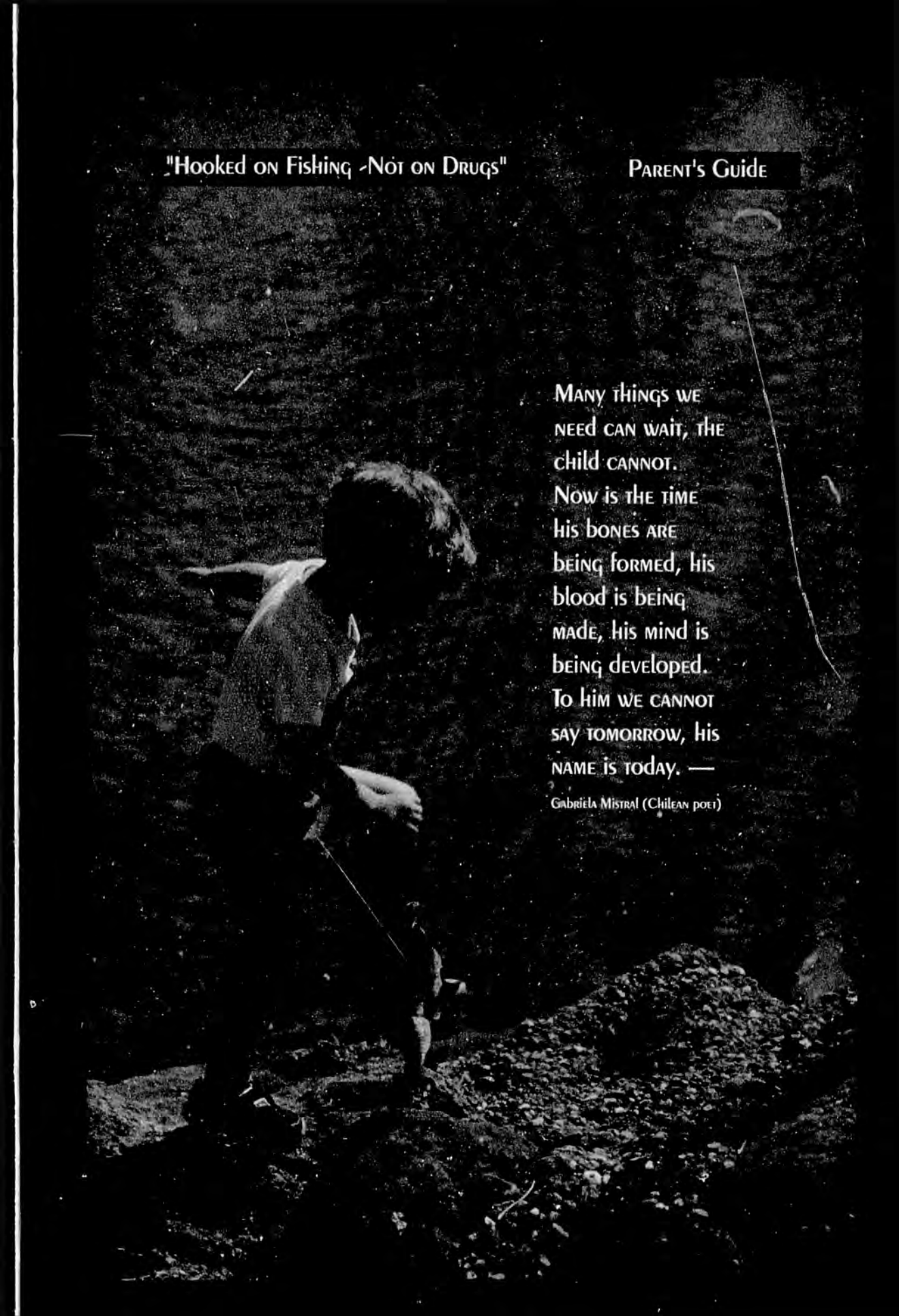
Gabriela Mistral (Chilean poet)

"Hooked ON Fishing -NOT ON DRUGS"

Sitting at the water's edge with your son or daughter, fishing lines extending peacefully into the rippling waters, just you and your child...does it make a difference? You bet! Can you do it even if you never fished before? You bet! This booklet will show you how easy it is...and how vitally important it is to your child's healthy future.

The most memorable times I had with my father and mother and two sisters were on our fishing trips. These were the times when we were a family, the times when we seemed to laugh and share. My dad started me fishing the streams of Colorado when I was about four years old. Through those fishing trips I learned so much while developing a special bond with my family. I learned an appreciation and love of the outdoors; I learned to be self-reliant; I learned values; I learned what was important in life. As I grew, I never felt the pressure or desire to experiment with drugs because I loved life as it was and did not want drugs or alcohol to interfere.

My story is little different from the millions of other anglers across the country. Everyone seems to have a

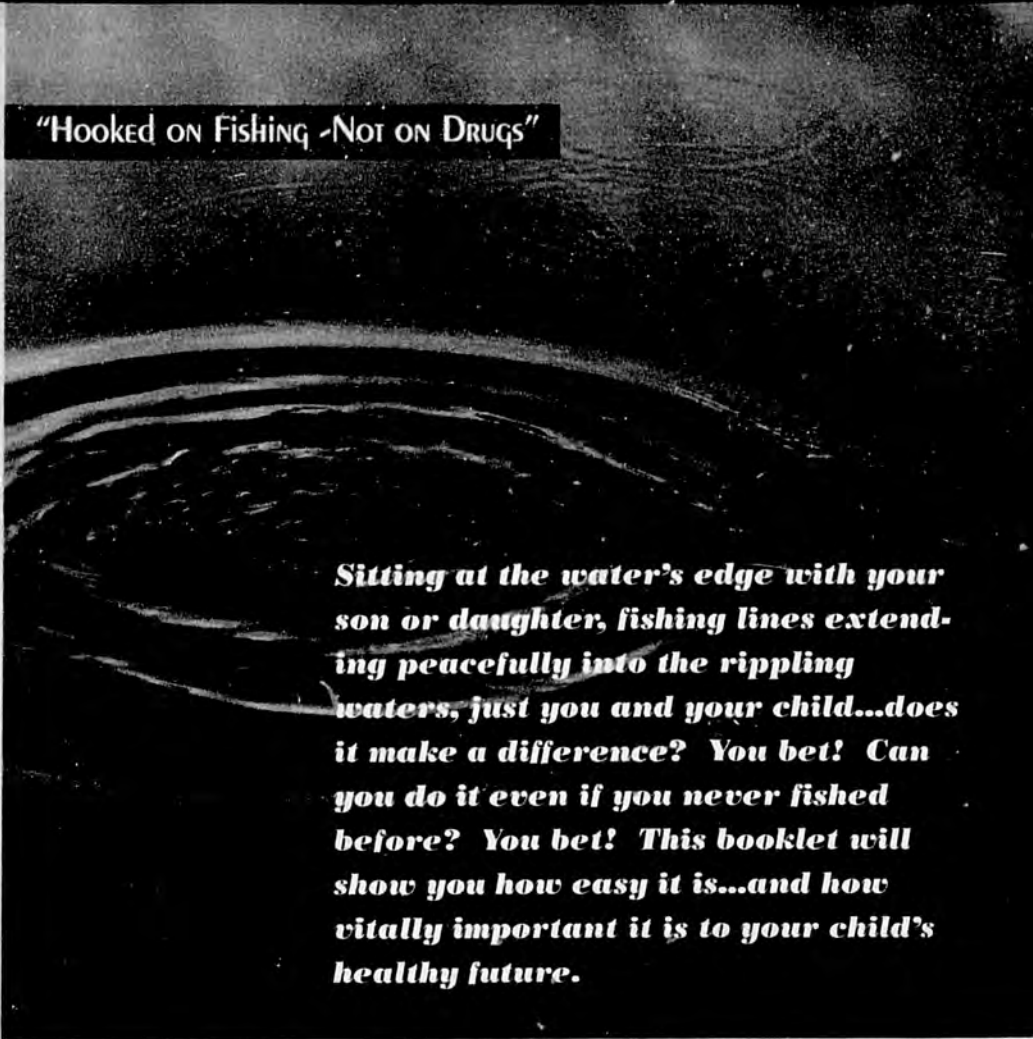


"Hooked ON Fishing -NOT ON DRUGS"

PARENT'S GUIDE

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personal story of how fishing has positively impacted his or her life and as with mine, the stories rarely were shared beyond the family. However, in early January of 1986, 14-year-old Matthew Deakins put his feelings into words in a letter to the Future Fisherman Foundation saying that while other kids his age were experimenting with drugs, he discovered he had no desire to—because of fishing! And that is how the “Hooked On Fishing - Not On Drugs” program was born.

Today the program is being used by schools, churches, police departments and a variety of other organizations. “Hooked On Fishing - Not On Drugs” links drug education, sport fishing, and environmental conservation together in a powerful combination providing a healthy alternative to enhance the development of life skills that divert children from using drugs. However, a very important aspect of the program is parental involvement—parents bonding with their children through fishing.

Through this brochure we want to help your children utilize fishing as a positive alternative to drugs and give you “how-to” information to help keep your children drug free.

We encourage you to spend time fishing and talking with your children. Everyone always says there is never enough time. Time is a matter of priorities. What is more important in your life than the future of your children? Children seem to grow into young adults overnight. Spending time with them is not something you can put off until tomorrow. Help them create memories that will last a lifetime, develop an activity that will keep them drug free, and instill family values...go fishing!

Sharon Rushton
Executive Director
Future Fisherman Foundation

"Hooked ON Fishing - NOT ON DRUGS"



"Hooked ON Fishing - NOT ON DRUGS" - A PARENT'S Guide

Effective drug education programs in our schools and communities are critical to addressing the drug problem today. However, without the support and involvement of parents in their children's lives and in drug education efforts, these programs have much less chance for success.

As a parent, you are your children's first and most important role model and you have the most influence in the formation of their values. You can build on the progress made in drug education programs by having strong, loving relationships with your children, teaching standards of right and wrong, setting and enforcing rules for behavior, knowing the facts about alcohol and other drugs, and really listening to your children. This booklet provides you with information to help you address and understand drug education and how fishing can enhance your relationship with your children and help keep them drug free.

GETTING "Hooked ON Fishing"

If you have never thought of a trip to the local pond or river as a healthy family activity and drug education technique, consider the following:

- Fishing provides a setting for parents and children to talk.
- Through fishing parents can get involved in their children's lives.
- Everyone is equal while fishing—children and adults, males and females, individuals with or without physical or mental disabilities. Everyone can feel a sense of accomplishment and be successful.
- As a result of this equality, fishing creates a common ground which opens lines of communication and bridges generation gaps.

"Hooked ON Fishing -NOT ON DRUGS"

- Fishing gets young people in touch with the outdoors and away from stressful distractions. It gives youth a time and place to think things out.
- Fishing is a fun activity that youth and family can enjoy for a lifetime.

WHEN YOU GO FISHING TOGETHER:

- You are away from the phone and television, creating a relaxed atmosphere.
- You can learn from each other and teach each other about a new skill.
- You can have fun!
- You are a family.



EFFECTIVE DRUG PREVENTION?

Can the simple act of going fishing really be used to combat one of the most serious issues affecting our young people today? Surprisingly, yes!

There's no single reason why youth start using alcohol and other drugs, but there are some common problems that lead children to experimenting with drugs. Some of them include:

- Boredom
- Lack of motivation
- Poor social and communication skills
- Lack of a sense of responsibility
- Inadequate problem-solving and decision-making skills
- Low self-esteem
- Peer pressure
- No or poor role models
- Inadequate family interaction/communication

The "Hooked On Fishing - Not On Drugs" program uses fishing to help address:

Positive alternatives. So children do not become bored, they need positive alternatives. Fishing is a fun, healthy activity youth can participate in with friends, family, or by themselves without feeling lonely.

Motivation. Having something fun to do and to look forward to is a motivator in a child's life.

Communication. Fishing provides a setting that enhances communication between fishing partners. Quiet and tranquil surroundings create the perfect environment for listening and talking. Keeping lines of communication open between family members is particularly important, and fishing outings provide and enhance these opportunities.

Self-esteem building. Succeeding in a skill that is revered by adults can significantly build a child's self-esteem. Success is not just determined by catching fish—it comes in learning to cast, tying knots, and being knowledgeable about fish.

Responsibility. If children are to fish, they take on responsibility. They must take responsibility for the equipment so it can be used again. As children are taught to fish, they also need to learn a responsibility to the fish and the environment. If they don't keep their fishing areas clean, they won't be allowed to return to fish. If they don't follow the rules and regulations and help to protect the environment, there will not be any fish to catch.

Positive role models. Children need positive role models. However, the most important role model is the parent. Quality time has to be spent with the child for that positive influence to rub off. Fishing provides that quality time.

"Hooked on Fishing, Not on Drugs"

Overcoming peer pressure. Having high self-esteem and positive alternatives like fishing, children can overcome negative peer pressure. They have the reasons and the strength to say no!

Good problem-solving and decision-making skills. Through fishing children learn to solve problems and to make decisions. Every time they go fishing, they have to decide what baits to use, what area of the water to fish, whether to let the bait sit still or how fast to reel, whether to keep or release the fish. They will encounter problems which they will learn to solve such as untangling their line.

Improved family interaction. Fishing provides families quality time to be a family because there are few distractions. It is an activity parents can start with the children as soon as they can walk and continue when the children become parents themselves.

Just because a youngster fishes does not guarantee that he or she will remain drug free. However, children who possess the above life skills and can communicate with their parents are less likely to turn to drugs.

What If I Don't Fish?

No problem. It's easy to learn and costs very little. Learning to fish together can further enhance the experience between parent and child. You are more equal and have an opportunity for developing a true friendship as you learn to fish together.

The Future Fisherman Foundation offers several booklets to help you learn to fish, to learn about fish, and to learn about their environment. *Fishing Fun for Kids* is an illustrated how-to guide that is



Tips ON Fishing Trips

excellent for both children and adults. There is an order form for a "Family Pack" of materials in the back of this *Parent's Guide*.

Many state fish and wildlife agencies, public libraries, fishing tackle retailers, sports shows, communities, and others offer programs that teach you how to fish. Hundreds of magazines and several television shows also provide you information or materials about a variety of fishing techniques.

Getting children started in fishing is an easy task. The excitement of watching a bobber dance on the water, the thrill of catching a bluegill or any fish, and the feeling of accomplishment make fishing attractive to all generations. The opportunity to spend quality time with Mom and/or Dad are also motivations for wanting to go fishing. Here are some tips to help you have a great time together:

Be relaxed. As you head out the door, leave behind the tension and take along a smile, an open mind, and a lot of patience.

Make it fun. Above all else, make the fishing trip fun and safe. Don't measure the success of the trip by the number of fish caught or the size of the fish. Make the trip successful simply by having a fun, safe time outdoors. Encourage children to explore the natural surroundings. Praise children for their patience and cooperation. Praise them for simply trying whether or not they master new fishing skills.

Make it a shore thing. Teaching children to fish from shore has some important advantages. It provides them more opportunity to go on their own or with friends when they are old enough. Give the first few lessons at a local park pond, farm pond, or lake with a dock or gentle shoreline where the children can run and play as their attention span runs short. If and when you progress to a boat, be sure to have the proper safety equipment for you and your youngster.

Fish for little fish. Catching fish is important; size isn't. Start new anglers off on species that are plentiful and more easily caught. Popular fish for beginners are bluegill and other sunfish. Most kids prefer to catch lots of fish versus big fish. Larger fish can be sought when the child has developed basic fishing skills.

CORRECTION

THE FOLLOWING DOCUMENT(S)
HAVE BEEN REFILMED TO
ASSURE LEGIBILITY OR PAGINATION



Rev. 6/98

Central Microfilm Services
Department of Education
State of Alaska

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"Hooked ON Fishing -NOT ON DRUGS"

Start with the basics. Begin with simple equipment and bait. A cane pole, bobber, and hook with live bait will work for a variety of fish. Advance to simple spincasting equipment as the child's skill and interest level permit. Be sure the equipment your child uses is in good working order to avoid any unnecessary frustration.

Teach skills. People, regardless of their age, enjoy fishing more when they are in control and have the ability to do it themselves. Resist the temptation to do things for your children. If you are using live bait, teach them how to put it on the hook themselves. Teach them how to tie their hook to the line and how to cast. On future trips, help them develop these skills and their self-esteem, as they begin to master them.

Help solve problems. Help your children solve a problem and help them work it out. Avoid the temptation to solve it yourself without their help. Fishing lines getting tangled are a part of many trips. Don't scold your children. Let them know this happens to adults too and say, "Let's work together to straighten it out." Make sure the children assist. Watch for a reason why the children may be making a mess with their lines and help them understand what they can do differently in the future. If they are not catching fish, discuss ways they can experiment such as changing the placement of the float, moving the bait closer to some structure, or selecting another bait.

Be flexible. You may have decided that what is best to start with is a bobber and live bait. However, when you get to the water, your budding young angler wants to continually cast and reel. Instead of insisting on them sitting still and quiet, and since their chance of success is low if they continually reel in their live bait, change strategy. Take off the bobber and hook, and tie on an artificial ultra light lure that they can cast and reel to their hearts' desire.

Be responsible. Be a good role model and leave alcohol behind on a family fishing trip. Set a good example by picking up trash and leaving the fishing area looking as good or better than you found it. Show how to recycle aluminum cans, fishing line, and other materials.

Demonstrate the proper way to release fish if you aren't planning to keep them, and make good use of the fish you keep. Teach your child about the rules and regulations you must follow. Introduce young anglers to the many aspects of the outdoors so they can learn to respect the environment. Ask the child to help with the fish, all the way from the fishing pole to the frying pan.

Don't stay too long. How much time you spend fishing will vary with the age of the child and how cooperative the fish are. Outings with young children should be kept short. End the trip before your new angler gets restless. Remember when you are out on a boat, just a couple of hours bouncing and drifting can be uncomfortable for even the heartiest children.

Don't make the first trip your last. Talk with your child and listen to what was good, fun, rewarding, bad or boring so you make the trip even better next time. Regardless of your first experience, be willing to plan another trip.

Fulfill promises. If you promise to take your child fishing, consider it is as important as buying food, paying your rent/mortgage, or a meeting with your boss. Look at it as an investment in your family's health and security.

These are only a few tips to help teach children to fish. Each child will have different needs and wants, and each fishing trip will have to be adjusted accordingly. If we all take the opportunity to teach a child about fishing and the outdoors, we might have a healthier society, and the younger generation could have a brighter future. So next time your youngster asks you about fishing, grab the gear and go. Just remember, it's not whether or not you catch a fish, it's whether or not you have fun trying.

"Hooked on Fishing -NOT ON DRUGS"



INSTILLING ALCOHOL AND OTHER DRUG MESSAGES IN THE HOME

Helping youngsters develop positive alternatives to drugs, high self-esteem, and decision-making skills are important and the first steps in keeping them drug free. However, another important step is providing clear messages to your children about the use of alcohol and other drugs. It is important that your children understand that their use of alcohol and other drugs is unhealthy, illegal, and unacceptable. What can you do?

- Stand on a clear, firm, positive NO-USE policy and be willing to enforce the rules.
- Become knowledgeable about causes and effects of drugs and their availability.
- Talk with and listen to your children. Let them talk about their concerns and questions about drug use, about the use by their friends, about the pressure they sometimes may feel to experiment or use drugs. Do not dismiss, judge, or punish them for their questions and statements, but help them put the pieces together so they can make responsible, no-use decisions.
- Support law enforcement and school policies in regard to alcohol and other drug participation by youth.
- Be honest about your own use of legal drugs such as alcohol and tobacco; be honest without making them appealing. Don't say things like, "I need a cigarette," "I need a drink to relax," or "I can't wait to get a six-pack to make the fishing trip complete." Be open about how you began using any drug and what effect it has had on you.
- Do not introduce or support any drug use by your child, like buying them cigarettes, showing them how to use chewing tobacco, allowing them to taste

"Hooked ON Fishing - NOT ON DRUGS"

your alcoholic beverage, letting them "play bartender" at home, serving you drinks or cleaning up partially filled beverage glasses.

- Teach and instill family values.
- Have every family member sign the "Hooked On Fishing - Not On Drugs" pledge card and carry it in his/her wallet or school bag.



CHILDREN AND ALCOHOL

Parents who are clear about not wanting their children to use drugs may find it harder to be tough about alcohol. After all, alcohol is legal for adults, many parents drink, and alcohol is part of some religious observances. As a result, we may view alcohol as less dangerous than other drugs, but the facts don't agree.

- Almost one out of three boys and one out of five girls classify themselves as drinkers by age 13. Over half of 6th graders report peer pressure to drink beer, wine or liquor.
- Alcohol-related accidents are the leading cause of death among young people 15 to 24 years of age.
- About half of all youthful deaths from drowning, fires, suicide, and homicide are alcohol-related.
- Young people who use alcohol at an early age are more likely to use alcohol heavily and to have alcohol-related problems; they are also more likely to abuse other drugs and to get into trouble with the law.
- Moderate to high doses of alcohol cause marked impairments in higher mental functions, severely altering a person's ability to learn and remember information.
- Very high doses cause respiratory depression and death.

OTHER GATEWAY DRUGS SHOULD ALSO BE TAKEN SERIOUSLY.

- 18 percent of high school seniors are daily smokers.
- Young people who use cigarettes are also at great risk for all other drug use.
- 1 out of 3 sixth graders say they feel pressured by their peers to use marijuana.

"Hooked ON Fishing -NOT ON DRUGS"



UNDERSTANDING HOW CHILDREN GROW

Preschoolers

Drug education may seem unnecessary for preschoolers, but the attitudes and habits learned early can have an important bearing on the decisions children make later.

Three- and four-year-olds are not yet ready to learn complex facts about alcohol and other drugs, but they can learn the decision-making and problem-solving skills that they will need to refuse alcohol and other drugs later. Remember that children in this age group are not able to listen quietly for very long; they are more interested in doing things for themselves.

It's tempting for busy parents to do things for young children because it's quicker and easier. With a little planning, however, you can use the learn-by-doing approach to teach your preschooler how to make decisions. Let your child pick from a range of options that are acceptable to you. When the choice is made, make sure your child sticks with it.

Kindergarten-Grade 3

Five-to nine-year-olds usually feel good about themselves. They still think and learn primarily by experience, and they don't have a good understanding of things that will happen in the future. Fact and fantasy mingle easily; the world is seen as the child wishes it to be, and not as it actually is. Children of this age need rules to guide their behavior, information to make good choices and decisions, and consistency once the rule is established.

Discussions about alcohol and other drugs must be in the here and now, and related to people and events the child knows about. Most children are very interested in how their bodies work, so discussions should focus on main-

"Hooked ON Fishing NOT ON DRUGS"

taining good health and avoiding things that might harm the body.

Adults are very important both as teachers and as role models. Children are generally trusting and they believe that the decisions adults make for them are right. Helping your child know whom to trust is important. They need to understand that just because someone tells them to do something, it is not always right to do it.

Grades 4-6

This is a period of slowed physical growth when typically a lot of energy goes into learning. Children 10 to 12 years old love to learn facts, especially strange ones, and they want to know how things work and what sources of information are available to them.

Friends—a single best friend or a group of friends—become very important. What children this age are interested in or will be committed to often is determined by what the group thinks. Children's self-image is determined in part by the extent to which they are accepted by peers, especially popular peers. As a result, a lot of "followers" are unable to make independent decisions and choices.

This age is perhaps the most important time for parents to focus on increased efforts at drug prevention. These late elementary school years are crucial to decisions about the use of alcohol and other drugs. The greatest risk for starting to smoke comes in the sixth and seventh grades. Research shows that the earlier youngsters begin to use alcohol and other drugs, the more likely they are to have real trouble.



Your child will need a clear no-use message, factual information, and strong motivation to resist pressures to try alcohol and other drugs and to reinforce the determination to remain drug free.

Grades 7-9

During the early teens "fitting in" with friends is a controlling influence. In some ways, the onset of puberty is like a "rebirth." Children want and need to let go of the past and to find their own unique identity. This often means letting go of old friendships and ties with teacher and other adults, as well as old ways of doing things. The decision-making and problem-solving methods that they learned as young children are still helpful, but young teens will be making new decisions based on new information and new goals.

Young people this age can begin to deal with abstractions and the future. They understand that their actions have consequences, and they know how their behavior affects others. They sometimes have a shaky self-image: they are not sure whether they are growing and changing

adequately, they are often in conflict with adults, they are not sure where they are headed, and they tend to see themselves as not "okay." Strong emotional support and a good model of adult behavior are particularly important now.

Young people who use alcohol, tobacco, and other drugs typically begin before leaving the ninth grade. Be sure that family discussions about drugs emphasize the immediate, unpleasant effects of alcohol and other drug use. Telling

junior high school students who are smoking that they will get lung cancer or heart disease in several decades



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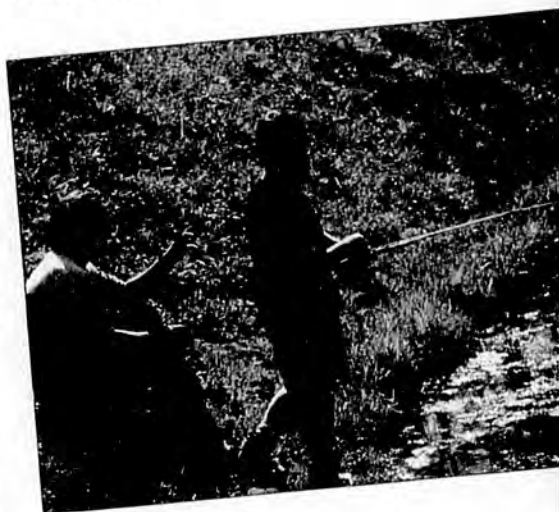
is less likely to make an impression than talking about bad breath, stained teeth and fingers, and burned clothing.

Many young people use drugs because their friends use drugs. A large portion of your prevention efforts during these years should be spent reinforcing your child's motivation to avoid alcohol and other drugs.

Counteract peer influence with parent influence. Reinforce your no-alcohol/no-drug-use rules and expectations so that your child clearly understands that drinking and using drugs are unacceptable and illegal. Children may argue that "everyone is doing it" and not experiencing any harmful effects. Inform your child that alcohol and other drug use is illegal for children and that "everyone is not doing it." Emphasize how unpredictable the effects of alcohol and other drugs can be, so that although many drug users may appear to function properly, drug use is extremely risky, and all it takes is one bad experience to change a life.

Get to know your child's friends and their parents. Meet your child's friends. Invite them to your home frequently. Share your expectations about behavior with other parents. Work together to develop a set of rules about curfews, unchaperoned parties, and other social activities.

Monitor your child's whereabouts. If your child is at "a friend's house," be sure that you know the friend and the parents. If your child is at the movies, be sure you know what film is playing and at which theater. Last minute changes in plans, such as visiting a different friend or going to a different movie, should not be permitted unless the child checks with Mom, Dad, or another designated adult.



Grades 10-12

High school students are future-oriented and can engage in abstract thinking. They have an increasingly realistic understanding of adults. Young people therefore want

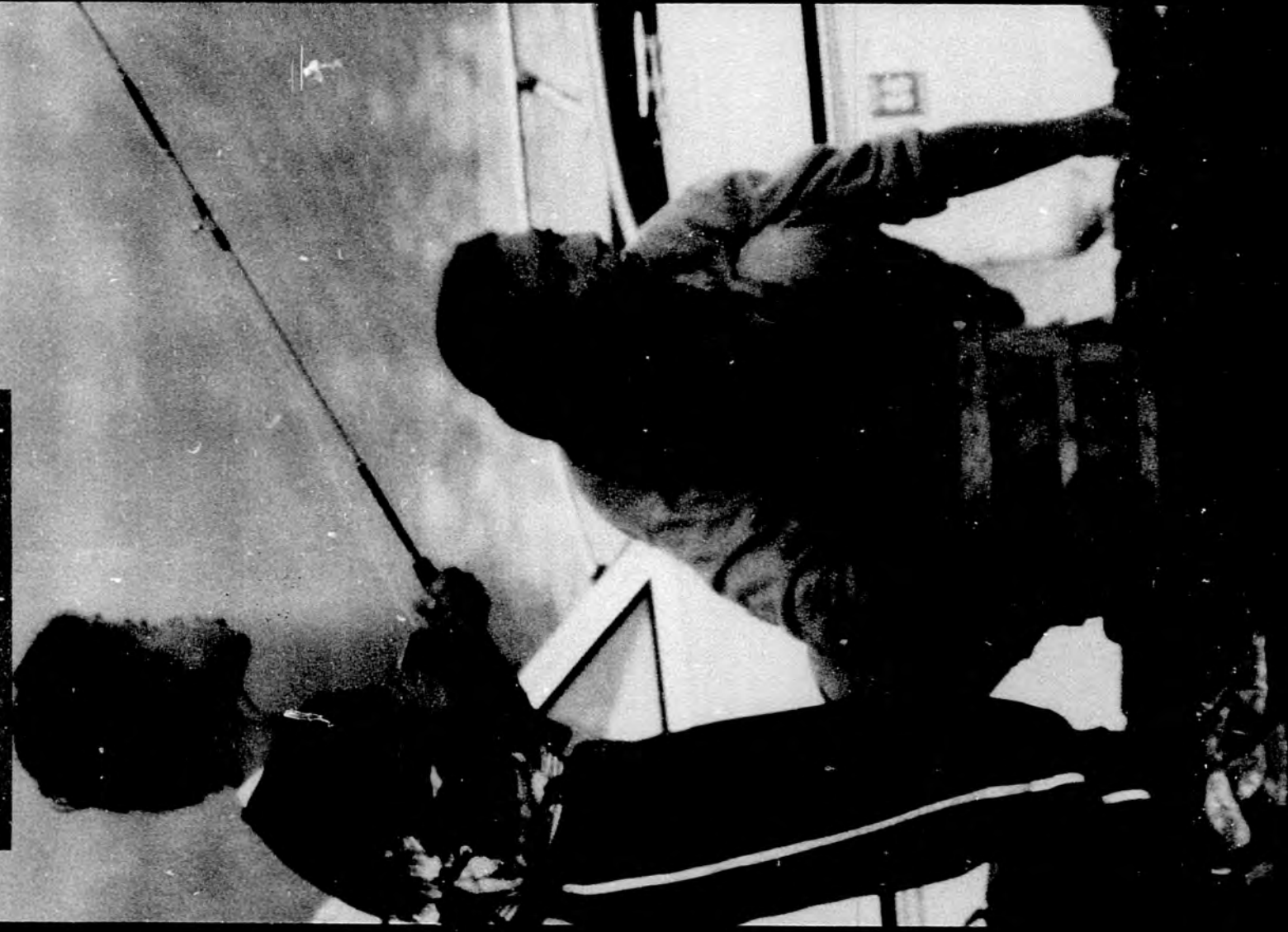
adults to discuss their concerns and the ways they solve problems and make decisions. You may have a tremendous new opportunity to help your children at this age. At the same time, the teenagers continue to be group-oriented, and belonging to the group motivates much of their behavior and actions. During these years, young people often develop a broader outlook and become more interested in the welfare of others.



You may want to focus on the potential long-term effects of alcohol and other drugs during these years: drugs can ruin your teen's chances of getting into college, being accepted by the military, or being hired for certain jobs. Your teen may also be impressed by the importance of serving as a good role model for a younger brother or sister.

Although young people long for independence, it is particularly important to keep them involved in the family and family activities. They should join the rest of the family for dinner regularly, be part of family vacations, and remain part of family routines.

"Hooked on Fishing - Not on Drugs"



COMMUNICATING WITH YOUR CHILD

The process of communication and trust literally starts from the day your child is born. How well you are able to talk with your child in those tumultuous teen years will, to a large degree, be determined by how well you communicated for the 12 years leading up to that time. The process of building an open, honest relationship with your child is a long-term, sometimes painful, process.

Here are some tips for improving your ability to talk with your child about alcohol and other drugs. Fishing as an activity is a great time and place to put these tips to work.

Be a good listener. Make sure your child feels comfortable coming to you with questions or problems. Listen closely to what your child says. Don't allow anger at what you hear to end the discussion. If necessary, take a 5-minute break to calm down before continuing. Take note of what your child is *not* saying too. If the child does not tell you about problems, take the initiative and ask questions about what is going on at school or in other activities. Most importantly, remember that talking or communicating is two-way. View fishing trips as a time to communicate, not a time to lecture.

Be available to discuss even sensitive subjects. Young people need to know that they can rely on their parents for accurate information about subjects that are important to them. If your child wants to discuss something at a time when you can't give it full attention, explain why you can't talk, set a time to talk later, and then carry through on it!

Give lots of praise. Emphasize the things your youngster is doing right instead of always focusing on things that are wrong. When parents are quicker to praise than criticize, children learn to feel good about themselves and they develop the self-confidence to trust their own judgment.