

24th Legislature(2005-2006)
Committee Minutes
HOUSE RESOURCES
Apr 22, 2005

House Friday, April 22, 2005 2:33:00 PM

Download Mp3 <- Right click and save file as

HB 251-COMMERCIAL FISHING MULTIPLE PERMIT HOLDER

CO-CHAIR SAMUELS announced that the final order of business would be HOUSE BILL NO. 251 "An Act authorizing the Board of Fisheries to adopt regulations regarding fishing by a person who holds two entry permits for a salmon fishery."

CO-CHAIR RAMRAS moved to adopt HB 251, labeled 24-LS0770\F, as a working document.

HENRY WEBB, Staff to Representative Ralph Samuels, Alaska State Legislature, said HB 251 is the logical conclusion to the legislation that allowed fishermen to hold two permits. This bill would allow the Board of Fish to assign additional fishing privileges for those who hold more than one permit in a salmon fishery, he added. Market forces prompt permit holders to buy or sell their permit, and this bill would not require anyone to buy or sell their permit. Mr. Webb said HB 251 would permit the board to allow additional fishing privileges. It would also allow specific fisheries to deal with situations where low salmon prices have contributed to large numbers of outstanding or latent permits. The committee substitute (CS) requires the fish board to consider this issue only in their normal three-year cycle, and it makes a technical amendment recommended by the Department of Law to conform this legislation to Commercial Fisheries Entry Commission statute.

CO-CHAIR SAMUELS said, "The point of the bill is to let the board look at ways in some of these, where they've got so many permits and the buy-back probably is not going to happen, is to allow to get more net out of the water, where if I fish and Representative Ramras fishes, I can buy his permit and the board could say, OK, we used to have four shackles of gear, and if I own both permits, I'm allowed to have three. I've got two, he's got two. And let the board of fish work out the ways to get around the details."

3:34:12 PM

REPRESENTATIVE LEDOUX asked if the bill would allow a person with two entry permits to have a larger boat.

MR. WEBB said it would be up to the board. It doesn't proscribe that, he said. "It doesn't proscribe anything. It says the board will be able to determine ... allocative decisions and whatnot. They'll be able to determine what they want to do with gear or boats or anything under the sun, as long as it fits in with the constitution and existing statute. They could decide the particulars," he said.

REPRESENTATIVE LEDOUX said under section 3 the board might be able to allow for a larger boat.

CO-CHAIR SAMUELS said the intent is more gear, not a larger boat. "We can certainly work on the language to ensure that."

3:35:48 PM

MR. WEBB said the board can change the boat length now.

JERRY MCCUNE, United Fishermen of Alaska (UFA), Juneau, said UFA supports the bill. The Board of Fisheries just allowed two permit holders for one vessel in Bristol Bay and have an extra shackle of gear, he noted, so this is for all the fishermen in Bristol Bay who hold a second permit to be able to go to the board and make a request. It is a really good way to do fleet consolidation if that fits someone's fishery, because he or she doesn't have to have any money, he said. It also gives options, but it won't fit every fleet. He noted that the bill covers restructuring proposals, so there would be public hearings. He said, "The 32-foot is in regulation, so the board has that purview. The 58-foot was taken out of statute and put in area-by-area that you could bring it up in Prince William Sound, you could bring it up in Southeast, or you could bring it up in Kodiak. But you have to go before the board to remove the 58-foot limit."

3:39:24 PM

PETER THOMPSON, Fisherman, Kodiak, said the salmon industry has been an economic disaster, and the state should make it more valuable for anyone who attempts to remain in the industry. Fleet consolidation is a concept whose time has come, he said. He stated that he is tired of task forces and talks that are followed by no real action. "Waiting for the state of Alaska or Uncle Ted to bail us out or buy back permits is over," he said. Giving the board the tools to effect change is a good step. For every stacked permit in Bristol Bay, 100 fathoms of net are removed from the water, he figured. There are 1,857 drift permits in Bristol Bay, allowing for 5,571 shackles of drift gear. If just one third of the permit holders stacked permits, either with another permit holder or one individual with two permits on a single vessel, that would take over 22 percent of the gear out the water in the bay, he concluded. "That would be equal to eliminating 70.5 miles of drift net." He said the permit holders he has talked to support the intent of HB 251.

3:42:13 PM

FRANK HOMAN, Commissioner, Commercial Fisheries Entry Commission, said the commission supports the bill for the purpose of fleet consolidation and effort reduction. He added that it is a simple, non-mandatory tool for the board to use. People would have to come before the board to state their case before using the provision, he said.

3:43:09 PM

CO-CHAIR SAMUELS said the reason he wrote this legislation was to "let the private sector start eliminating some of the net in the water." There are fears that in Bristol Bay, 20 to 30 percent of the permits aren't actually used, and those will be the ones that are sold, thereby increasing the number of nets in the water, he said. The other concern is that village residents would be hurt because they can't afford to buy a second permit. He said he tried to find language "to put sideboards on it," but he ran into constitutional problems. The Board of Fisheries is a better forum to have this discussion, and all the communities can come forward at that time. He believes the market place can take better care than a non-existent government buy back.

3:46:19 PM

REPRESENTATIVE ELKINS moved to report CSHB 251, version 24-LS0770\F, out of committee with individual recommendations and the accompanying fiscal notes. There being no objection, CSHB 251(RES) passed out of committee.