

LEGISLATIVE COMMITTEE REPORT ON LEGISLATIVE MATTERS

The Legislative Committee (Committee) convened at 3:30 p.m. on Sunday, September 7, 2008. In attendance were Committee members Dr. David Hanson (Chair) Mr. Rod Moore (vice chair), Ms. Kathy Fosmark, Mr. Don Hansen, and Mr. Dale Myer. Also present were Council members Mr. Phil Anderson, Mr. Mark Helvey, Mr. Frank Warrens, Mr. Mark Cedergreen, and Mr. Gordy Williams; Council Executive Director Dr. Don McIsaac, Council Deputy Directory Mr. John Coon, Council Staff Officer Mr. Mike Burner, and Ms. Dorothy Lowman, consultant for Environmental Defense.

The Committee reviewed the legislative matters on its agenda and provides the following reviews and recommendations:

H.R. 6537, Sanctuary Enhancement Act of 2008

The Committee focused on the topic of clarification of the authority to regulate fishing activities within National Marine Sanctuaries, a core issue for the Council. H.R. 6537 addresses this issue by moving the issue of fishery regulation within Sanctuaries from National Marine Sanctuary Act (NMSA) Section 304 regarding Sanctuary designation and implementation to NMSA Section 308 pertaining to regulations. The Committee agreed that this change does little to change or clarify the role of the Regional Fishery Management Councils, and the Committee was disappointed that H.R. 6537 failed to include the long standing position and recommended NMSA amendments of the Council and the Council Coordination Committee (CCC) (see Agenda Item C.4.a, Attachment 7, Draft Council Position Statement on NMSA Reauthorization and Related Ecosystem-Based Fishery Management).

The U.S. House Natural Resources Committee, Subcommittee on Fisheries, Wildlife and Oceans, led by Congresswoman Madeleine Z. Bordallo (D-GU), held an oversight hearing on the reauthorization of the National Marine Sanctuaries Act on June 18, 2008. The Committee noted that the Regional Fishery Management Councils were not included in these June hearings and recommends the Council request an invitation to participate should there be additional hearings.

The Committee recommends the Council direct the Executive Director convey these comments to U.S. Senator Gordon Smith (R-OR) who has formally requested Council comments on fishery-related legislative matters and through Mr. Dave Whaley to the U.S. House Subcommittee on Fisheries, Wildlife and Oceans who requested Council input on NMSA reauthorization.

S. 3314, the National Oceans Protection Act of 2008

The Committee briefly reviewed S. 3314 and notes the bill is nearly the same piece of legislation that was introduced in the U.S. House of Representatives as H.R. 21 the *Oceans Conservation, Education, and National Strategy for the 21st Century Act*, legislation the Council and the CCC has previously commented on. The Committee noted that S. 3314 does not include amendments made to H.R. 21 since its introduction, but the Committee does not recommend any further comments on this legislation at this time.

Future Meeting Plans

Because there are no urgent legislative matters anticipated in the near future and due to the heavy workload of the November Council meeting, the Committee recommends scheduling the next meeting for the March 2009 Council meeting.

The Committee adjourned at 4 p.m.

Legislative Committee Recommendations

- 1. Direct the Council Executive Director to send a letter to U.S. Senator Smith and Mr. Dave Whaley, regarding H.R. 6537 that reiterates the CCC position on the authority to regulate fishing within National Marine Sanctuaries and requests Council participation at future Congressional hearings on NMSA reauthorization.**
- 2. Schedule the next meeting of the Legislative Committee for the March 2009 Council meeting.**

PFMC
09/09/08