

LEGISLATIVE COMMITTEE REPORT ON LEGISLATIVE MATTERS

The Legislative Committee (LC) met on Wednesday, June 22, 2016. The meeting was attended by committee members Mr. Dave Hanson (Chair), Ms. Dorothy Lowman, Mr. David Crabbe, Mr. Rich Lincoln, and Mr. Dan Wolford; Council members Mr. Buzz Brizendine, Ms. Marci Yaremko, Mr. Pete Hassemer, Mr. Phil Anderson, and Mr. Herb Pollard; Council staff Ms. Jennifer Gilden, Mr. Chuck Tracy, Mr. Mike Burner; and Ms. Corey Ridings, Mr. Barry Nelson and Mr. Rod Moore.

The LC first heard a staff review of recent Federal legislation (Agenda Item F.1, Attachment 1). Among other developments, California SB 1114, which would have phased out the California drift gillnet fishery, has died in committee.

S. 2533 Comment Letter

Earlier this spring, the Council received a request from Reps. Huffman and Thompson of California and Senator Murray of Washington to comment on S. 2533 (Feinstein; California Long-Term Provisions for Water Supply and Short-Term Provisions for Emergency Drought Relief Act). On May 11, Council staff sent a letter on S. 2533 reflecting the comments made by the Pacific Coast Federation of Fishermen's Associations and the Golden Gate Salmon Association, as directed by the Council. A week later, the Council received a response from Sen. Feinstein and Rep. Garamendi criticizing, among other things, the Council process for developing its comments. Setting aside the substance of the Council's disagreement with the text of the bill, the LC discussed improvements in the letter drafting process—particularly for letters that require a quick turnaround, such as the letter to Feinstein required. The LC emphasized the need to thoroughly vet legislation to the extent possible, but did not support the idea of contacting the bill sponsor whenever the Council comments on a bill. The LC recommended inviting staff from the author(s) of legislation to attend the LC meetings when the Council intends to develop comments on their bill in order to give them an opportunity to provide input to the Council prior to delivery of a letter.

The LC recommended no response to the Sen. Feinstein letter, apart from an email acknowledging receipt of the letter and informing Sen. Feinstein's staff that the Council would discuss the issue.

HR 4576

The Council also received a request in April from the House Committee on Natural Resources to comment on HR 4576, the Ensuring Access to Pacific Fisheries Act. A draft letter is included in the briefing materials (Agenda Item F.1, Attachment 2), although the legislative landscape for this bill has changed and the bill's companion in the Senate (S. 1335) is now likely the primary vehicle for passage. The Senate bill generally comports with the Council's preferences regarding the issues identified in the draft letter (Attachment 2), but the LC recommends sending the letter, as it draws attention to issues that the Council views as important.

The LC does recommend striking the first sentence in the second-to-last bullet on the first page of the draft letter that refers to the phrase “knowingly and willfully.” The implications of this legal term are complex and would benefit from review by legal and enforcement expertise.

Marine National Monument Proposal

The LC discussed a proposal for a National Monument in waters off the California coast that is currently being circulated. The LC had some concerns about the potential proposal, but did not have enough information on the proposal or its source to develop comments. The LC directed Council staff to follow up on the issue.

Future Meetings

The LC proposes to meet in conjunction with the September Council meeting.

PFMC
06/24/16