

## LEGISLATIVE MATTERS

The Legislative Committee (Committee) will meet Monday, September 19 with a primary objective to review federal legislative issues.

In June, the Committee heard a brief report on developing legislation to establish a dedicated access privilege program for the shore-based whiting fishery from Mr. Dave Jincks. The Committee expressed concerns regarding the implications of a legislative mandate on Council and NMFS regional staff and the lack of analysis that would normally occur if such a program occurred through the Council process. In a June 23, 2005 letter to U.S. Secretary of Commerce Carlos M. Gutierrez (Agenda Item B.3.a, Attachment 1), the Council conveyed the recent Council decision on trawl individual quota alternatives and expressed opposition to any Congressional action that could pre-empt the Council's development of an individual fishing quota program. In response, Dr. Hogarth sent a letter dated August 2, 2005 (Agenda Item B.3.a, Attachment 2) expressing support for the Council process and an intent to comment specifically when the Trawl Individual Quota alternatives and accompanying regulations are completed.

On August 2, 2005, Council Chairman, Don Hansen, received a letter from Oregon Senator, Gordon H. Smith, (Agenda Item B.3.a, Attachment 3) requesting Council consideration of S. 1549, the *Cooperative Hake Improvement and Conservation Act of 2005* (Agenda Item B.3.a, Attachment 4). This is the legislative proposal reported on by Mr. Jincks at the Committee's June meeting. The Committee is scheduled to review the legislation Monday, September 19 and provide recommendations for a Council response to Senator Smith.

The 109<sup>th</sup> Congress is currently in session. It is anticipated that reauthorization of the Magnuson-Stevens Fishery Conservation and Management Act (MSA) will be addressed in this Congress. On August 4, 2005, staff of the U.S. Senate Committee on Commerce, Science, and Transportation distributed a discussion draft bill for the reauthorization of the MSA (Agenda Item B.3.a., Attachment 5). The discussion draft bill considers issues raised by the public and by conferences such as the *2005 Council Chairs and Executive Directors (CCED) Meeting*, but is not intended to be a comprehensive proposal. The U.S. Senate Committee on Commerce, Science, and Transportation would appreciate Council comments on the national issues presented in this draft and on national or regionally-specific issues the Council would like to be considered for inclusion in an introduced bill.

The Council is tasked with considering its Legislative Committee recommendations on these and other legislative matters and responding, as appropriate.

**Council Action: Consider recommendations of the Legislative Committee.**

Reference Materials:

1. Agenda Item B.3.a, Attachment 1: June 23, 2005 letter from Dr. McIsaac to Secretary Gutierrez regarding Council decisions on Trawl Individual Quota Alternatives.
2. Agenda Item B.3.a, Attachment 2: August 2, 2005 letter from Dr. Hogarth to Dr. McIsaac in response to the Council letter on Trawl Individual Quota Alternatives.
3. Agenda Item B.3.a, Attachment 3: August 2, 2005 letter from Senator Smith to Council Chairman Hansen regarding the introduction of the *Cooperative Hake Improvement and Conservation Act, S.1549*
4. Agenda Item B.3.a, Attachment 4: *Cooperative Hake Improvement and Conservation Act, S.1549.*
5. Agenda Item B.3.a, Attachment 5: *Discussion Draft Magnuson-Stevens Fishery Conservation and Management Reauthorization Act of 2005.*
6. Agenda Item B.3.d, Public Comment.

Agenda Order:

- a. Agenda Item Overview
- b. Legislative Committee Report
- c. Reports and Comments of Advisory Bodies
- d. Public Comment
- e. **Council Action:** Consider Recommendations of the Legislative Committee

Mike Burner  
Dave Hanson

PFMC  
08/30/05