

PROCEEDINGS
of the
ATLANTIC STATES MARINE FISHERIES COMMISSION
57TH ANNUAL MEETING
BUSINESS SESSION

October 22, 1998
Jekyll Island Club Hotel
Jekyll Island, Georgia

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TABLE OF CONTENTS

Call to Order, Chairman Paul Sandifer.....1
Changes to the Agenda.....2
Intruduction of New Commissioners.....3
Report of ISFMP Policy Board.....5
Report of Executive Committee.....10
Report of Resolutions Committee.....11
Report of Nominating Commitee.....22
Adjournment.....32

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INDEX OF MOTIONS

MOTION	PAGE	ACTION	PAGE
Approval of minutes) 3	Carried	3
Approve Amendment 1, Atlantic Herring FMP)) 6	Carried	6
Approve Amendment 1, Bluefish FMP	) 6	Carried	7
Approve Amendment 1, Shad and River Herring FMP	) ) 7	Carrued	7
Approve Horseshoe Crab FMP	) 7	Carried	7
Approve Amendment 12, Summer Flounder, Scup and Black Sea Bass FMP	) ) ) 8	Carried	9
Find Massachusetts Out of Compliance)	9	Carried	10
Adoption of Strategic Plan	) 10	Carried	11
Adopt ASMFC Consideration of EPA Guidance as Basis for Fish Consumption Advisories	) ) ) 12	Carried	18
Adopt Host State Resolution	) 18	Carrued	21
Election of Chairman	) 22	Carried	23
Election of Vice-Chairman	) 23	Carried	24
Reconsider Action of Fish Consumption Advisories	) ) 26	Carried	26
Amend Resolution pertaining to Fish Consumption Advisories)) 24	Carried	30
Adopt Resolution as amended) 30	Carried	31

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The Business Session of the 57th Annual Meeting of the Atlantic States Marine Fisheries Commission convened in the Club Ballroom of the Jekyll Island Club Hotel, Jekyll Island, Georgia, October 22, 1998, and was called to order at 1:10 o'clock p.m. by Chairman Paul Sandifer.

CHAIRMAN PAUL SANDIFER: All right, if I can get your attention one more time, all commissioners should be at the tables. I will now call to order the formal business session of the Atlantic States Marine Fisheries Commission. I welcome you all to that activity and ask the executive director to call the roll.

(Whereupon, the roll call was taken by Executive Director John H. Dunnigan.)

EXECUTIVE DIRECTOR JOHN H. DUNNIGAN: Mr. Chairman, all of the states who are members of the

Atlantic States Marine Fisheries Commission are represented by delegations here today, and I would note for you that in the eight years that I have been doing this, I have never seen as many commissioners in one room as we have had this week. And that's great.

CHAIRMAN SANDIFER: It has been a fantastic meeting.

EXECUTIVE DIRECTOR DUNNIGAN: You have a quorum.

CHAIRMAN SANDIFER: Thank you. You have the agenda. Going back to the front of your Briefing Book for this agenda, it's the last one in the agendas for the week, page 11. There are two changes I know of to the agenda.

Under Item 4, Report of the ISFMP Policy Board, we will have an addition of the report on summer flounder, scup, black sea bass and an issue related to Massachusetts compliance with the Scup FMP.

Also, we have deleted the report of the Law Enforcement Committee, Item 6, because that's already been given. So, the other numbered items will be renumbered. Are there any other items that need to be added to or

deleted from this agenda?

Seeing none, we will proceed with the agenda, and the first item is approval of the minutes. The minutes of our previous meeting are behind Tab 15, I believe, in your Briefing Book. It would be nice if someone would make a motion.

MR. PRESTON PATE, JR.: Move approval of the minutes.

MR. GORDON C. COLVIN: Second.

CHAIRMAN SANDIFER: Thank you, Mr. Pate and Mr. Colvin. All in favor of approval of the minutes, signify by saying Aye; opposed, like sign; any abstentions. The Ayes have it and the minutes are approved.

I will ask one item to be placed in the agenda right now to recognize our new commissioners and ask Jack to be sure we know who all are here.

EXECUTIVE DIRECTOR DUNNIGAN: Thank you, Mr. Chairman. At the annual meeting every year, we take this opportunity to welcome those who have become commissioners within the past year; and as usual, this year we have a number of people.

Some of them, however, have either been associated with the Commission for a long time or have been very active in the Commission's programs since they were appointed. And then some of them are brand new so let me indicate who they are.

There's this person named Lapointe from the great State of Maine, who is a new commissioner who was unable to be with us this week.

From Rhode Island, two of the members of the Rhode Island delegation are new this year: Representative Eileen Naughton, who was able to be with us for most of the week; and Mr. Gil Pope, who was not able to be with us because of some personal issues.

From New York, Mr. Augustine has joined the Commission after working with us in a number of capacities for a very long time and wanted to know if he should come to the orientation the other night, and I said, "Heck, Pat, you could teach it".

From Maryland, Dr. Bachman has just in the last year become the Director of the Maryland Fisheries Service and is a new commissioner.

In Georgia, Representative Lane who has

been able to be with us most of the week -- thank you very much -- is a new commissioner. It's very, very nice to see you here.

And perhaps the most interesting and laudable of all is from the great Commonwealth of Virginia, Ms. Catherine Davenport, who only became a commissioner about two weeks ago and still was able to find an opportunity to get down here and spend a couple of days at the annual meeting.

I think it would be appropriate for the Commission to congratulate all of them on their appointments to the ASMFC. (Applause)

CHAIRMAN SANDIFER: Welcome to the work of the ASMFC. Now we move to Item 4, the report of the ISFMP Policy Board, and it becomes my responsibility as Chair of that Board to bring before this Body the actions of the Policy Board.

I am going to take these in the order they were presented at the Policy Board meeting and take them one at a time for you.

The first of these is a motion. I move on behalf of the ISFMP Policy Board that the Commission

approve Amendment 1 to the FMP for Atlantic Herring, contingent upon certification by the Atlantic Herring Section that the New England Fishery Management Council approves a similar plan.

Can you call up that motion just so we'll have it? What you will see is probably the ISFMP motion. The only change is that it was recommending and I am now making that motion on behalf of the ISFMP Policy Board. No second is required.

Any discussion on the motion, while we're finding it? The question has been called, I believe. All in favor, please signify by raising your right hand so they can get a count, one from each state. One from each state -- if caucusing is necessary, caucus. Thank you. Also, one from each state, if there are any nays, same sign; any abstentions, same sign. The motion carries unanimously, 15 in favor. Thank you.

Let's move to the next one of these Fishery Management Plans. On behalf of the ISFMP, I move that the Commission approve Amendment 1 to the Bluefish Fishery Management Plan. Any discussion on this item, the Commission approval of Amendment 1 to the Bluefish Fishery

Management Plan? All in favor, one vote per state, somebody raise their right hand; any opposed; any abstentions. The vote carries by 13 to 1.

By the way, if the delegations need a few seconds, a few minutes to caucus, I'll be happy to give you that time.

My next motion, on behalf of the ISFMP Policy Board, is that the Commission approve Amendment 1 to the Shad and River Herring Fishery Management Plan. Any discussion on this motion, for approval of Amendment 1 to the Shad and River Herring Fishery Management Plan? Do you need a little time to caucus?

Are you ready to vote? One vote per state, all in favor, signify by raising your right hand; all opposed, like sign; any abstentions, like sign. The motion carries by a vote of 13 to 2.

On behalf of the ISFMP Policy Board, I move that the Commission approve the Horseshoe Crab Fishery Management Plan. Discussion on the motion? Do you need a second to caucus? This is approval of the Horseshoe Crab Fishery Management Plan. Everybody ready to vote? All in favor, one vote per state, raise your right hand;

any opposed, same sign; any abstentions. The motion carries unanimously, 15 to nothing.

On behalf of the ISFMP Policy Board, I recommend Commission approval of Amendment 12 to the Summer Flounder, Scup, and Black Sea Bass Fishery Management Plan contingent upon certification by the Board that the final draft of Amendment 12 has addressed the Board's and the NMFS concerns about compliance with National Standard 9 of the Sustainable Fisheries Act.

This is approval of Amendment 12 to the Summer Flounder, Scup and Black Sea Bass Fishery Management Plan contingent upon certification by the Board that the final draft of Amendment 12 has addressed the Board's and the NMFS concerns about compliance with National Standard 9 of SFA.

Any discussion on the motion? Mr. Dunnigan.

EXECUTIVE DIRECTOR DUNNIGAN: I probably should have addressed this earlier, but just so that the record is clear, Board here refers to the Summer Flounder, Scup and Black Sea Bass Management Board.

CHAIRMAN SANDIFER: Thank you for the

clarification. Any discussion on this motion? Do you need a moment to caucus? Are you ready for the question? Everyone ready for the question? The State of Maryland, are you ready?

Remember, under the experiment we're going to try, we have the option of Ayes, Nays, Nulls and Abstentions. We haven't had a need for the nulls before but perhaps now.

All right, let me call the question. All in favor, one vote per state, raise your right hand; all opposed, like sign; nulls; any abstentions. There is somebody not voting again, so the motion carries by a vote of 9 to 4. Two states obviously did not vote.

All right, the last motion I believe from the ISFMP Policy Board, this has to do with the State of Massachusetts, so, John, if you will find this motion for me, please.

On behalf of the ISFMP Policy Board, I move that the Commission determine that the Commonwealth of Massachusetts is not fully and effectively implementing and enforcing a required provision of the Scup Fishery Management Plan in that it is not implementing and

enforcing the commercial quota limitations of the plan and is therefore not in compliance with that plan; and that in order to come back into compliance, the Commonwealth must implement and enforce said provisions.

Discussion on the motion? Any comments on the motion? Do you need time for caucusing? Are you ready for the vote? Everyone appears to be ready. All those in favor of finding Massachusetts out of compliance, please raise your right hand, one vote per state; all those opposed, right hand; any nulls; any abstentions. The motion carries 13 to 1.

And that concludes the actions to be brought before us from the ISFMP Policy Board. We move next to the report of the Executive Committee, and since we just had that meeting, I am going to do this pretty rapidly.

We have one item, action item before us from the Executive Committee, and that will be the adoption of the Commission Strategic Plan. On behalf of the Executive Committee, I move adoption of the Draft Strategic Plan as circulated to you this week.

Any discussion on this motion? Do you need

time for caucusing? Are you ready for the question? All in favor, one vote per state, please signify by raising your right hand; any opposed, like sign; any nulls; abstentions. The motion carries unanimously by a vote of 14 to zero.

Now, if we can move to the report of the Resolutions Committee. Mr. Pate.

MR. PATE: Mr. Chairman, while I have the mike, let me note that the Annual Meeting last year was my first meeting and now that I'm not a rookie anymore, I would like to extend my thanks to the Commission and the staff for their support, tolerance and friendship over the past year.

It's been a real good experience and I hope it continues for many years to come, at least by my choice. We actually have two resolutions to consider today, and I guess it's appropriate to read those into the record.

The first one is one that's been in preparation and under review for some time. That is regarding the consideration of EPA Guidance as a basis for Fish Consumption Advisories and concludes with a

recommendation that the states get more active in working with EPA on getting information out about the possible contaminants in seafood products.

WHEREAS, contaminants, such as heavy metals and organochlorines, are found in many species of marine fish, and these contaminants are known or suspected to affect human health; and

WHEREAS, a description of cancer and other health risks posed from consuming marine fish with these contaminants is needed by recreational fishermen and other fish consumers; and

WHEREAS, the Environmental Protection Agency has provided states with guidance for assessing chemical contaminant data for use in fish consumption advisories, and some states have adopted that guidance and have issued consumption advisories consistent with that risk-based approach, such as striped bass and PCBs; and

WHEREAS, some states' public health agencies have adopted or are considering adoption of the EPA guidance, and fisheries managers may be asked for input and support for the issuance of consumption

advisories based on that guidance; and

WHEREAS, widespread application of EPA's risk-based approach could result in the issuance of fish consumption advisories for many species of marine fish along the Atlantic Seaboard, even for species with extremely low levels of contaminants; and

WHEREAS, the Atlantic States Marine Fisheries Commission is concerned about the impacts of public health pronouncements on fisheries as well as possible cancer and other health risks posed by chemical contaminants on its other constituents, such as seafood consumers; and

WHEREAS, EPA's own risk management advice includes a warning to states that the issuance of fish consumption advisories might subsequently reduce the availability of fish as a dietary component and may jeopardize the livelihood of small businesses reliant on fishing activities, two important considerations influencing the decision to issue advisories;

NOW, THEREFORE, BE IT RESOLVED, that the

Atlantic States Marine Fisheries Commission:

(1) Supports a more active role by state fisheries management/research agencies in the management and communication of risks posed by chemical contaminants, such as heavy metals and organochlorines, to better understand and convey the nature of risks posed by consumption of marine fish while contending with a fishing industry that tends to be skeptical of public health risks of seafood; and

(2) Urges state fisheries management/research agencies to develop a closer working relationship with their public health and environmental agencies to: (a) Ensure agencies's positions are elucidated, (b) promote development of consensus or compromise positions, and (c) develop consistent messages to consumers about seafood; and

(3) Encourages states' public health/ environmental agencies, in conjunction with fisheries management/research agencies, to develop a consistent and unified coastwide position on the nature of public health risks posed by consumption of seafood

with chemical contaminants;

(4) Suggest state fisheries management/research agencies and their respective public health and environmental agencies review: (a) the EPA-recommended approach for determining seafood consumers' cancer risks posed by chemical contaminants, and (b) EPA's non-regulatory guidance to states for issuance of fish consumption advisories to determine how the approach and guidance can best be used;

BE IT FURTHER RESOLVED that the Atlantic States Marine Fisheries Commission acknowledges and appreciates EPA's efforts to carefully craft its step-by-step approach for assessment, management and communication of risks posed by consumption of chemically contaminated seafood;

BE IT FURTHER RESOLVED that a copy of this resolution be sent to the Environmental Protection Agency, the Food and Drug Administration, and the public health and environmental agencies of all ASMFC member states.

Mr. Chairman, on behalf of the Resolution

Committee, I submit this resolution for adoption.

CHAIRMAN SANDIFER: Okay, we have the resolution before us, and as Mr. Pate has indicated, it has been some time birthing. We have seen several different versions of this over a period of years, I believe. Is there any discussion on the motion before us for approval of this resolution? Mr. Fote.

MR. TOM FOTE: I think this resolution is very important. Senator Bassano had to leave. I don't know if some of you read the Jersey Coast newspapers laying at the front desk.

He has put a Bill into the state legislature which would require that fish markets and restaurants post the same advisories that we get out to the general public, to the fishermen and everything else, in those facilities.

He said he didn't know how many sponsors he could get on the Bill when he introduced it and within one week's time he had eight co-sponsors in the Senate, so that means actually almost a quarter of the Senate is now on there as sponsors to this Bill. It's a public information bill and Senator Bassano can give you copies

of the bill. Thank you.

CHAIRMAN SANDIFER: Thank you. Any further discussion or comments on the motion to approve? Dave.

VICE-CHAIRMAN DAVID V.D. BORDEN: Thank you, Mr. Chairman. I would just like to voice the concern -- well, actually, let me back up. In the case of our state, our agency works directly with our health department and EPA on these types of issues, and in fact we have issued a number of advisories and going to the extent of posting signs in certain areas to address specific problems.

The problem I have with the specific language here is in the first two whereases, and it's this general characterization which is "are found in many species of marine fish".

Everyone in this room knows that there are times and locations and so forth where contaminants are going to be present, and you're going to have specific user groups that are going to run higher risks than others.

I am a little bit concerned that the general characterization in the first item would get

picked up by the press and have some negative consequences for the seafood market in general, so I would just voice that as a reservation.

CHAIRMAN SANDIFER: Any other comments or does anyone have some ideas for further perfection of the language? Are you ready to take it as it is? Okay, this will be one vote per state again. Do you need a moment to caucus? All those in favor, please signify by raising your right hand; all those opposed, like sign; abstentions; nulls. The motion carries 12 to nothing, I believe.

VICE-CHAIRMAN BORDEN: One abstention.

CHAIRMAN SANDIFER: One abstention. All right, the next resolution.

MR. PATE: Mr. Chairman, the next one is certainly much more enjoyable and a lighthearted attempt to complete a task in a very much shorter period of time to develop a resolution from the Commission recognizing and thanking the State of Georgia as host of our 57th Annual Meeting.

WHEREAS, the weather has been smiling down upon us in a fine Georgian style; and

WHEREAS, the Jekyll Island Club Hotel provided a lovely setting to sit out on the porch and let the gentle coastal breezes lull you to sleep; and

WHEREAS, the Spanish moss-covered live oaks, Victorian towers and great Georgian porches on a misty morning cast a mystical spell transporting us back in time; and -- we need some strains of Dixie playing in the background or something like that --
(Laughter)

WHEREAS, the welcoming reception was so well attended and enjoyed that no one wanted to leave at the appointed hour; and

WHEREAS, the sights and sounds of Crane Cottage encouraged chefs to serve up charboiled fettucini alfredo; and

WHEREAS, the golf tournament was the best attended and most professionally run by the very competent Georgia Coastal Resources Division; and

WHEREAS, the opportunities for fishing were enhanced by the thoughtful provisions of bait, tackle, license and maps of places to fish, almost every element needed to catch fish; and

WHEREAS, the calm island surf was ideal for a bath-like swim, which must have scared all the fish offshore; and

WHEREAS, the Coastal Resources Division was clever enough to enlist meeting participants to board the Research Vessel Anna and shrimp for their supper -- we only hope no one asked Jack to sing, also -- and

WHEREAS, there were so many wonderful events and functions to attend, that it was exceedingly difficult to locate commissioner and staff members; and

WHEREAS, there were so many fun activities for spouses that many were lost for hours and hours; and

WHEREAS, all the good folks at Georgia's Coastal Resources Division and the Jekyll Island Club Hotel took great care to think of every detail to make our stay here comfortable, relaxing and still very productive; and

WHEREAS, the Low Country Boil was a real highlight and a hoot for everyone but the pig; and

WHEREAS, we are extremely fortunate that the Jekyll Island Club Hotel has not been declared a peanut-free zone; and

WHEREAS, the quality and enjoyment of this meeting is a befitting celebration to the end of Paul Sandifer's tenure as chairman;

NOW, THEREFORE, BE IT RESOLVED that the Atlantic States Marine Fisheries Commission declares the 57th Annual Meeting set a new standard for great hospitality, good food and scenic settings, that we declare this the best Annual Meeting of the 20th Century and that Georgia will always remain on our minds, in our memories and in our hearts. (Applause)

CHAIRMAN SANDIFER: For the record, this is known as voting by the placing together of hands.

MS. SUSAN SHIPMAN: Thank you very much. We very much enjoyed having you and hope you will come back.

CHAIRMAN SANDIFER: It's been fantastic, Susan.

MR. PATE: That concludes our report.

CHAIRMAN SANDIFER: Report of the

Nominating Committee, Mr. Coates.

MR. COATES: Thank you, Mr. Chairman. I'm pleased to report that the Nominating Committee did not have a null, but that we convened and unanimously came to a rapid conclusion and offer a wonderful slate of candidates for your consideration.

For Chairman, The Honorable David Borden; and for Vice-Chairman, The Honorable Susan Shipman. That is our recommendation, Mr. Chairman.

CHAIRMAN SANDIFER: Thank you, Mr. Coates, and I'll now turn it over to Mr. Dunnigan.

EXECUTIVE DIRECTOR DUNNIGAN: Thank you, Mr. Chairman. Commission, you have before you the recommendations of the Nominating Committee. We will begin with the office of Chair of the Atlantic States Marine Fisheries Commission for the next year.

The Nominating Committee has nominated Mr. David Borden. Are there any other nominations?

(Motion was made and seconded from the floor to close nominations.)

EXECUTIVE DIRECTOR DUNNIGAN: Motion to close nominations. Is there any objection? So ordered.

Is there a motion to elect David Borden by acclimation?

(Motion was made and seconded from the floor.)

EXECUTIVE DIRECTOR DUNNIGAN: So moved and so ordered. Congratulations. (Applause)

VICE-CHAIRMAN BORDEN: Thank you very much for the trust that this implies. I would just like to say that I personally consider this a very exciting time in the Commission process.

I think we've made great progress over the last few years, particularly under the leadership of the guy on my right, who I think we should all give a round of applause for the excellent job that he has done over the last few years. (Standing Ovation)

EXECUTIVE DIRECTOR DUNNIGAN: The next item before the Commission is the election of a Vice-Chair. The Nominating Committee has nominated Ms. Susan Shipman from Georgia. Are there any other nominations?

MR. COLVIN: Move nominations be closed.

EXECUTIVE DIRECTOR DUNNIGAN: Any objection to closing nominations? If there is no objection, it is so ordered. Is there a motion to elect Susan Shipman by

acclimation?

MR. COLVIN: So move.

EXECUTIVE DIRECTOR DUNNIGAN: So moved.

Without objection, so ordered. Congratulations.

(Applause)

CHAIRMAN SANDIFER: You have elected a new Chairman. It has been a great blast. I thoroughly enjoyed it, and my job now is to turn it over to Dave Borden for anything that --

EXECUTIVE DIRECTOR DUNNIGAN: You have to close this meeting.

CHAIRMAN SANDIFER: I have been told I have to close this meeting. That's probably the easiest thing I have had to do. David Borden.

VICE-CHAIRMAN BORDEN: Mr. Jensen, I think at my suggestion, gave me some language that I would just present. This relates to the Fish Consumption Advisories. Let me just outline it and see what the reaction is.

In the first whereas, it would be "whereas contaminants, such as heavy metals and organochlorines, are occasionally identified in species of marine fish, and these contaminants are implicated in negative human health

effects" and those are the changes, and then the other change would be down in the fifth whereas, in the second line of that strike "many" and then at the end of the sentence -- Pete, you may have to read this yourself.

MR. PETE JENSEN: Well, to add the words after "contaminants" "where the risk to public health is minimal".

VICE-CHAIRMAN BORDEN: All right, the only thing I would ask is reactions to that. Obviously, it's a slight modification which may lessen the chance of some particular press agency sensationalizing the release. But, comments on that.

CHAIRMAN SANDIFER: Would you read it one more time for the record.

EXECUTIVE DIRECTOR DUNNIGAN: Just to make sure it's in the record before it gets up on the board, in the first whereas eliminate the words "found in many" and change them to "occasionally identified in".

On the second line, eliminate the words "known or suspected to affect" and insert "implicated in negative" and after the words "human health" insert the word "effects".

In the second whereas, eliminate the words "cancer and other". In the fifth whereas, in the second line eliminate the word "many" and in the third line after "contaminants" insert "where the risk to public health is minimal".

CHAIRMAN SANDIFER: All right, now, in order to proceed with this, this resolution has already been approved by the Commission. To do anything with this, we would first need a motion to reconsider our previous action. Senator Goldthwait.

SENATOR JILL GOLDTHWAIT: I move we reconsider our action whereby we approved the resolution on Fish Consumption Advisories.

REPRESENTATIVE DENNIS ABBOTT: Second.

CHAIRMAN SANDIFER: Seconded by Representative Abbott. Any discussion on the motion to reconsider? Are you ready for the question? All those in favor, please signify by raising your right hand -- this is the motion to reconsider previous action -- all opposed, like sign; any abstentions; any nulls. The motion carries by a vote of 10 to 1.

Now, Mr. Borden, do you want to make a

motion to amend?

VICE-CHAIRMAN BORDEN: Before we do that, Mr. Chairman, my actual suggestion is everyone has the actual language, and I think it might be of benefit if we just had a minute or two of discussion on Pete's suggestion.

CHAIRMAN SANDIFER: Mr. Colvin.

MR. COLVIN: I would suggest deletion of the very last part of the suggestion. I don't know that the suggested low level of contaminants has minimal public health risk. I don't know that. I think it may not be minimal.

I don't think that that's a judgement that we can make as agencies and people who are not in that field. The rest of it I don't really have a problem with, but that conclusion, I do.

If there were minimal public health risks, why would there be advisories associated with eating fish, and there are with contaminants at low level?

CHAIRMAN SANDIFER: Mr. Jensen.

MR. JENSEN: Well, you're right, Gordon. I think my intent was that whoever issued the advisory

would make that judgement that it was minimal.

MR. COLVIN: That doesn't say that.

MR. JENSEN: Yes, that was my intent and perhaps in the rush to get this fixed, the words aren't exactly right, but that is the intent.

CHAIRMAN SANDIFER: I remind you we have perfected and perfected and perfected on this one. Let's see if we can't get it right today. I still do not have a motion to amend. Senator Goldthwait.

SENATOR GOLDTHWAIT: I move we amend the language presented in accordance with the changes suggested by David Borden, deleting the final change as objected to by Mr. Colvin.

MR. WILLIAM A. ADLER: Second.

CHAIRMAN SANDIFER: It's been moved by Senator Goldthwait and seconded by Bill Adler that we approve the resolution with the amended language -- we adopt the amended language as suggested by David Borden with the exception of the last suggestion that's under the fifth whereas. Mr. Goldsborough.

MR. WILLIAM GOLDSBOROUGH: Mr. Chairman, although I was not there, I understand there was extensive

discussion and debate at the Management and Science Committee on some of these components of this resolution.

And, I would suggest that if anybody is here that was present and is familiar with some of the discussions, we might seek their guidance on these changes.

CHAIRMAN SANDIFER: Mr. Fote.

MR. FOTE: This amendment has been a long time coming. We have been working on it for years. And, to sit here in the last three minutes after we voted on it, to basically knee jerk and change some wording, which I really am not clear what we're exactly changing and would like time to study it, I think is a big mistake.

We've worked on this. It's been wordsmithed many times. This was put before the table. I think we should stay just with what we have now. If you want to change it later on, all right, but I'm not going to vote differently in three minutes and basically making a bunch of fast changes where people have taken long and serious time about writing this up.

CHAIRMAN SANDIFER: Thank you. Further comments? We have a motion to adopt the amended language

as offered by Mr. Jensen with the exception of the language in the fifth whereas. I'm sorry, offered by Mr. Borden.

Are you ready to caucus? Do you need to caucus? I'll give you a minute or two and then we'll take this as a vote.

QUESTION FROM THE FLOOR: Mr. Chairman, just for clarification, the sixth whereas in the second line, the language that you need to read "as well as possible cancer and other health risks," which was stricken in the second whereas --

CHAIRMAN SANDIFER: Okay, but that was not part of the motion?

EXECUTIVE DIRECTOR DUNNIGAN: It wasn't part of the motion.

CHAIRMAN SANDIFER: Are you ready for the vote? Do you need it reread one more time? Everybody is ready for it? This is one vote per state, signify Aye by raising the right hand; the no's, like sign; any nulls; any abstentions. The motion carries 10 to 2.

Now we go back and vote on the main motion which is to approve this resolution now as amended. Are

you ready for the question or do you need more time? Everybody is ready. One vote per state, all in favor, signify by raising your right hand; opposed, like sign; any nulls; any abstentions. The motion carries 11 to 1.

Thank you. Is there any further business to come before us? Mr. Fote.

MR. FOTE: I want to apologize for the phone. This phone hasn't worked in this room all week, and it only works on the other side of the building, and it rang.

But that phone call was to inform me that the quota, the regional director has put out the quota for summer flounder and it is 18.2, so it is not the 14. It's not the 20, but it's status quo from last year. So, that's the recommendation of the regional director.

CHAIRMAN SANDIFER: Okay, any further items of business? Mr. Dunnigan.

EXECUTIVE DIRECTOR DUNNIGAN: Once again, Commissioners, we owe another great debt of thanks to Joe Graham, who has really slogged through this week for us. Thanks very, very much, Joe. (Applause)

CHAIRMAN SANDIFER: And I thank you for

making my two years as Chair such a great and pleasurable experience. And we are now adjourned.

(Whereupon, the meeting adjourned at 1:55 o'clock p.m., October 22, 1998.)

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