

# Senator Peter A. Micciche

## Alaska State Legislature

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## CS SB 135 version \D

### Set Net Fleet Reduction Program Bill Summary

*This is a summary only. Note that this should not be considered an authoritative interpretation of the bill and the bill itself is the best statement of its contents.*

**Section 1: Establishes** the short title of this legislation as the East Side of Cook Inlet Set Net Fleet Reduction Act.

**Section 2: Adds** a findings section to the uncodified law of the State establishing that it is in the public interest to reduce the number of commercial set net fishers on the east side of Cook Inlet to allow more fish for in-river users and create a more economically viable and sustainable set net fishery.

**Section 3: Amends AS 16.43.200(b)** granting Alaska Commercial Fisheries Entry Commission (CFEC) the authority to divide an existing administrative area.

**Section 4: Amends AS 16.43.200** by adding 2 new subsections.

(c) Establishes the Eastern Set Net Subdistrict (ESNS) as a distinct administrative area separate of the Cook Inlet Central District. This area is made up of the statistical areas currently identified as 244-21, 244-22, 244-31, 244-32, 244-41 & 244-42.

(d) Restricts those who have not previously fished in the newly established ESNS, from beginning to fish in that area.

**Section 5: Amends AS 38.05.082** by adding a new subsection.

(g) Notwithstanding (a) – (d) of this section, restricts the director from entering into a new lease for shore fisheries in the statistical area established under AS 16.43.200(c), enacted by sec. 4 of this Act, of an existing shore fishery lease. Does allow for accepting assignment or sublease, extension or renewal of existing leases.

**Section 6: Adds** new transition sections to the uncodified law of the State.

- (a) Directs CFEC to issue new permits for the Cook Inlet Central District set net fishery.
- (b) If an individual shows satisfactory proof of fishing in the new administrative area established under AS 16.43.200(c) within the two years prior to 12/31/18, they will be granted a permit for that new administrative area.

**Section 7: Adds** a new section to the uncodified law of the State which requires an election be held on March 1, 2019, to approve or disapprove the fleet reduction program. Establishes the criteria for the election process. The ballot will determine if the program will be implemented; will indicate region boundaries, details of buy-back program, effective date if the program is approved and the date by which the ballots must be returned.

**Section 8: Adds** a new section to the uncodified law of the State which defines the east side set net fleet reduction program.

Defines the qualifications for participation in the program;

Establishes that the program is voluntary;

Establishes that the commission shall hold a lottery each year for three years;

Sets permit value at \$260,000;

Establishes a payment plan for the purchase of the permits;

Program shall terminate when permit count has been reduced by 40% of the permits fished in 2017;

Permits purchased under this program shall be cancelled and not reissued in place of the cancelled permit;

A three year installment payment option shall be provided;

DNR shall, without penalty, terminate the shore lease and prohibit future leases of the property;

Acquisition of permits is not subject to the State Procurement Act;

Establishes that "commission" means Alaska Commercial Fisheries Entry Commission.

**Section 9: Adds** a new section to the uncodified law of the State which directs the chair of the commission provide written notification to the Lt. Governor of the results of the election.

**Section 10: Effective Date Clause.** Section 4 of this act is effective January 1, 2019.

**Section 10: Effective Date Clause.** Subject to approval by election, section 8 of this act is effective July 1, 2019.

**Section 12: Effective Date Clause.** This act is effective July 1, 2018, except as provided in section 10 and 11.