

## **SB42/HB110 Hillstrand Comments**

Honorable Senator Cathy Giessel

Chair of the Resources Committee I would like to address Senate bill 42 "priority use for personal use fisheries over commercial fishing".

The Personal Use dip net fisheries has cause many problem at the expense of many people in our State. I request that you eliminate it as a way of fishing in heavily populated areas; returning those areas to sport fishing; and Alaska to the State I remember. Because of the increasing population of residents since 1972, and that the majority can take advantage of the minority.

1. I would like to bring it to the attention of the legislature that Common Use in our Alaska Constitution for fisheries is not applied to all 700,000 residents receiving 6 fish apiece. That Limited entry is not an exclusive right or privilege; shows it is the publics way of participating in the benefit of the resource; available to all, and not locked up forever but transferable.

Just like in the Oil, Timber and Mining Industry once we lease the land to those companies we gave up the individual right for a collective right of taxation for the public to participate in common use of the resources. Residents of Fairbanks can not go and tap Oil off of the pipe line.

That No compensation for permits can be given, contrary and opposite to Eminent Domain in our Alaska Constitution. Which has gone to court and been ruled on. The Attorney General throw out a referendum to eliminate Set netting. This shows the protection for these permits and the original intent of the law.

This protected the poor and resident who did not have another source of income.

People have thought since no compensation can be given. "We can just allocate fish away from the commercial Limited Entry Permit Holders" and there is nothing they can do. That is wrong! It protected the LEP forever there is no way it can ever be removed from our Constitution.

What was promised with the no compensation; was that the fisheries be managed for Maximum Sustainable Yield escapements. The benefits were for the Commercial fisher who purchased a permit, boat and gear, that was all that was promise to them. No compensation! Only access to the fish!

Commercial fishing is a priority!

That any allocation of fish shall only be amongst the permit holders, not away from them!

The Personal Use fisheries has allocated fish away from the Commercial fisheries and has cause economic stress on the permit holders. This is contrary to the law to prevent economic distress among permit holders. It has also cause excessive fish to escape up the river, a loss of income.

I would like to remind the Commission that there are areas of the State of ALaska that are not Subsistence areas. The law suits and Federal rulings made it clear, yet the State went forward and created the Personal Use fisheries as a disguise to harvest fish as subsistence for people living in Non Rural areas.

It seems that once we purchase a permit we become an enemy of the State! The Resource committee needs to remind the public of the Law. To restore order to our communities, our relationships with our neighbors and honor to the ability to purchase a Limited Entry Permit.

I would highly recommend that any person voting for an allocation away from the commercial salmon fisheries, also own a permit. Than you would know the harm you are causing and feel the stress that we have felt as commercial fishers; with the money we have invested in the State of Alaska's Limited Entry Program.

If you do not own a permit, than you need to exclude your self from voting away allocation from commercial fishing.

David Hillstrand