



ALASKA STATE LEGISLATURE

House Fisheries Committee

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HB 386 Sectional Analysis

HB 386 enacts a change in statutes establishing a Commercial Fisheries Entry Division in the Department of Fish and Game. HB 386 repeals references to the Commercial Fisheries Entry Commission. The majority of the sections in HB 386 enact conforming amendments replacing references to Commercial Fisheries Entry Commission with Commercial Fisheries Entry Division. The sectional below lists the topic of the section in which the conforming amendment occurs.

Please note that a sectional analysis of a bill or resolution should not be considered an authoritative interpretation of the measure itself. The legislation is the best statement of its contents.

- Section 1 – Powers and Duties of the Commissioner of the Alaska Department of Fish and Game
- Section 2 – Process to petition the Board of Fisheries to establish a moratorium on new entrants into a commercial fishery
- Section 3 – Vessel license statute
- Section 4 – Social Security number to child services agency
- Section 5 – Vessel number plate
- Section 6 – Issuance of permanent vessel number plate
- Section 7 – Prohibition on landing or delivering fish in state without landing permit
- Section 8 – Issuance of landing permits
- Section 9 – Confidentiality of records
- Sections 10, 11, 12 - Loans for purchase of Alaska limited entry permits
- Section 13 – Limited entry permit loan default and foreclosure
- Section 14 – Transfer of entry permit after foreclosure
- Section 15 – Sale of a foreclosed permit
- Section 16 – Commercial Fishing Loan Act definitions section modification
- Section 17 – Salmon Fishery Associations
- Section 18 – Establishes the Commercial Fisheries Entry Division
- Section 19 – Powers and Duties of the Commercial Fisheries Entry Division
- Section 20 – Regulations and hearing procedures
- Section 21 - Application of Administrative Procedure Act
- Sections 22, 23 –Requirement for entry permit
- Section 24 – Failure to renew an entry permit
- Section 25 – Death of a permit holder
- Section 26 – Voluntary relinquishment of a permit
- Section 27, 28, 29 – Annual fee for entry permit
- Sections 30, 31, 32, 33 – Transferability of permits

Section 34 – Emergency permit transfers
Section 35 – Administrative areas
Sections 36, 37, 38, 39– Interim use permits
Section 40 – Moratorium on new entrants into certain fisheries
Section 41 – Moratorium in Southeast Alaska Dungeness crab fishery
Sections 42, 43 – Moratorium in Southeast Alaska dive fisheries
Section 44 – Designation of distressed fisheries
Sections 45, 46 – Determination of the maximum number of entry permits for initial issue
Section 47 –Standards for initial issuance of entry permits
Sections 48, 49, 50, 51, 52 – Application for initial issuance of entry permits
Sections 53, 54, 55 – Initial issuance of entry permits
Section 56 – Optimum number of entry permits
Section 57 – Revision of optimum number of entry permits
Section 58 – Establishment of buy-back funds and permit buy-back assessments
Section 59 – Administration of buy-back program
Section 60, 61 – Issuance of new entry permits; appropriations related to fleet reduction
Sections 62, 63 – Educational entry permit
Section 64, 65 – Terms and conditions of education entry permit
Section 66 – Accounting of harvest
Section 67 – Adoption of regulations
Section 68 – Special harvest area entry permits
Section 69 – Terms and Conditions of special harvest area entry permits
Section 70 – Adoption of regulations
Sections 71, 72, 73 – Demerit point system for commercial salmon fishery violations
Sections 74, 75 – Assessment of demerit points
Sections 76, 77, 78 – Permit suspensions
Section 79 – Notice and appeal
Section 80 – Required notice to commission
Section 81 – Hearings in proximity to Board of Fisheries Meetings
Section 82, 83, 84, 85, 86, 87, 88, 89 - Commission revocation or suspension of permits
Section 90, 91, 92, 93 – Penalties
Section 94 – Public disclosure of certain documents prohibited
Section 95 – Annual report requirement
Section 96, 97, 98 – Definitions
Section 99 – Child support lien against commercial fishing earnings
Section 100 – Program receipts reference – Fiscal Policies Act
Section 101 – Election to terminate salmon enhancement tax
Section 102 – Election to approve and or terminate dive fishery management assessment
Section 103 – Definitions
Section 104 – Election to approve and or terminate salmon fishery assessment
Section 105 – Definitions
Section 106 – Permit buy-back assessment
Section 107 – Election to approve and or terminate seafood development tax
Section 108 – Jurisdictions of the office of Administrative Hearings
Section 109 – Pledge of permit for security on loan with the Commercial Fishing and Agriculture Bank (CFAB)
Section 110 – Initial notice of default (CFAB)
Section 111 – Foreclosure (CFAB)
Section 112 – Termination of permit interest (CFAB)
Sections 113, 114 – Transfer of entry permits after foreclosure (CFAB)
Section 115 – Definitions (CFAB)

Section 116 – Repeal of Commercial Fisheries Entry Commission statutes and references: Definition section of Commercial Fishing Loan Act - 16.10.360(1), enabling statute of Commercial Fisheries Entry Commission – 16.43.02, Commission term of office, vacancy and removal – 16.43.030, Commission quorum – 16.43.040, Commission qualifications – 16.43.050, Commission compensation – 16.43.060, Commission legal counsel – 16.43.070, Commission Employment of personnel – 16.43.080, a portion of the Southeast Alaska dive fisheries statute is deleted as it is no longer valid statute – 16.43.228(e), The Commercial Fisheries Entry Commission is removed from the exempt service statute 39.25.110(11)(D), removes the Commercial Fisheries Entry commission from the public official financial disclosure law 39.50.200(b)(10)

Section 117 – Transition language

Section 118 – Employees