



ALASKA STATE LEGISLATURE

House Fisheries Committee

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HB 386 Sponsor Statement

In 1972, voters amended Alaska's constitution to allow limited entry into the state's commercial fisheries. Following this amendment, in 1973 the State Legislature enacted Alaska's Limited Entry Act (AS 16.43), creating the state's limited entry program and giving the Commercial Fisheries Entry Commission (CFEC) the responsibility for administering the program.

The commission serves as a regulatory and quasi-judicial agency of the state. Three commissioners are appointed by the Governor and confirmed by the legislature. Commission staff is organized into five sections: administration, adjudications, research & planning, licensing, and information technology. The commission is charged with establishing maximum numbers of entry permits for fisheries to be limited, processing entry permit applications and adjudicating claims, issuing annual permits in both limited and open access fisheries, processing requests for emergency and permanent transfers as well as research and coordination with state and federal management agencies in developing fisheries policies.

The commission has fulfilled its purpose commendably. Between 1974 and 2013, entry permits have been issued in a total of 65 commercial fisheries: 26 salmon fisheries, 19 herring fisheries, 9 crab fisheries, 5 sablefish fisheries, 3 shrimp fisheries, and 3 dive fisheries. To date, a total of 79 permit types have been issued in the 65 limited fisheries.

While undertaking the bulk of fisheries limitations in the 1970's, 80's and 90's, the commission established limited entry fisheries on nearly an annual basis. The caseload of permit adjudications before the commissioners has significantly decreased since this time. The last fishery that was limited in Alaska was in 2004. A comparative look at the permit caseload before the commissioners shows that in 1998 commissioners adjudicated 105 permit cases, 42 permit transfer cases and 10 miscellaneous actions while in 2013 commissioners adjudicated 3 entry permit applications, 2 permit transfers and one remand to the adjudication section.

Recognizing that the commission has fulfilled its statutory mandate under limited entry, HB 386 repeals the commission, and shifts the current permitting, research, licensing and other duties undertaken by the commission into a Commercial Fisheries Entry Division in the Department of Fish and Game. Employees of the Commercial Fisheries Entry Division would be moved into the classified employment category, instead of their current exempt category. Under HB 386 permit adjudications will be handled by the Office of Administrative Hearings.

The commission has served Alaska well. HB 386 would continue with the work of administering Alaska's limited entry fishery system under the Commercial Fisheries Entry Division.