

Original sponsor: Resources Committee

Offered: 3/7/73
Referred: Finance

1 IN THE HOUSE

BY THE JUDICIARY COMMITTEE

2 CS FOR HOUSE BILL NO. 126

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 EIGHTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the regulation of entry into Alaska
7 commercial fisheries; and providing for an effective
8 date."

9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

10 * Section 1. AS 16 is amended by adding a new chapter to read:

11 CHAPTER 43. REGULATION OF ENTRY INTO

12 ALASKA COMMERCIAL FISHERIES.

13 ARTICLE 1. CREATION OF THE ALASKA COMMERCIAL

14 FISHERIES ENTRY COMMISSION.

15 Sec. 16.43.010. PURPOSES AND FINDINGS OF FACT. (a) It is the
16 purpose of this chapter to promote the conservation and sustained yield
17 management of Alaska's fishery resource and the economic health and
18 stability of commercial fishing in Alaska by regulating and controlling
19 entry into the commercial fisheries in the public interest and without
20 unjust discrimination. It is also the purpose of this chapter to pre-
21 vent economic distress among fishermen by stabilizing the levels of
22 participation in the commercial harvest of the fishery resource at
23 levels reasonably commensurate with the ability of the resource to pro-
24 vide a livelihood for the fishermen participating in that harvest.

25 (b) The legislature finds that commercial fishing for Alaska's
26 fishery resources has reached or threatens to reach levels of partici-
27 pation, on either a statewide or area basis, that have impaired or
28 threaten to impair the economic welfare of the fishermen participating
29 in the harvest, the overall economic efficiency of the harvest and the

1 sustained yield management of the fishery resource.

2 Sec. 16.43.020. ALASKA COMMERCIAL FISHERIES ENTRY COMMISSION.

3 (a) There is established the Alaska Commercial Fisheries Entry Commis-
4 sion as a regulatory and quasi-judicial agency of the state. The
5 commission consists of three members appointed by the governor and
6 confirmed by the legislature in joint session.

7 (b) The governor shall designate one member of the commission as
8 chairman of the commission. The member designated shall serve as
9 chairman for a term of two years, and may be designated chairman for
10 successive two-year terms.

11 Sec. 16.43.030. TERM OF OFFICE; VACANCY. (a) The members of the
12 commission shall be appointed for terms of four years. Initial appoint-
13 ments shall be as follows: one member for two years, one member for
14 three years, and one member for four years. The governor may remove
15 a commissioner from office for cause, including but not limited to
16 incompetence, neglect of duty or misconduct in office. A commissioner,
17 to be removed for cause, shall be given a copy of the charges against
18 him and afforded an opportunity to be heard publicly in person or by
19 counsel in his own defense upon not less than 10 days notice. If a
20 commissioner is removed for cause, the governor shall file with the
21 lieutenant governor a complete statement of all charges made against
22 the commissioner and his findings based on the charges, together with
23 a complete record of the proceedings.

24 (b) A vacancy on the commission shall be filled by appointment by
25 the governor and the appointment shall be confirmed by the legislature
26 in joint session. A member selected to fill a vacancy shall hold office
27 for the balance of the full term for which his predecessor on the com-
28 mission was appointed.

29 (c) A vacancy on the commission does not impair the authority of

1 a quorum of commissioners to exercise all the powers and perform all
2 the duties of the commission.

3 Sec. 16.43.040. QUORUM. Two members of the commission constitute
4 a quorum for the transaction of business, for the performance of a duty,
5 or for the exercise of a power of the commission.

6 Sec. 16.43.050. QUALIFICATIONS. The commission shall consist
7 of three members with a broad range of professional experience, none of
8 whom has a vested interest in the commercial harvest of the fishery
9 resource.

10 Sec. 16.43.055. COMPENSATION. Members of the commission are in
11 the exempt service and shall receive an initial annual salary at range
12 28, step B of the state pay plan, subject to merit raises as approved
13 by the governor.

14 Sec. 16.43.060. LEGAL COUNSEL. The attorney general is the legal
15 counsel for the commission. He shall advise the commission in legal
16 matters arising in the discharge of its duties and represent the commis-
17 sion in suits to which it is a party.

18 Sec. 16.43.070. EMPLOYMENT AND COMPENSATION OF PERSONNEL. (a)
19 The commission may employ those persons necessary to carry out the
20 purposes of this chapter. Employees of the commission are in the exempt
21 service under AS 39.25.110.

22 (b) In addition to its staff of regular employees, the commission
23 may contract for and engage the services of consultants, experts and
24 hearing officers as necessary.

25 ARTICLE 2. POWERS AND DUTIES OF THE COMMISSION.

26 Sec. 16.43.120. GENERAL POWERS. (a) To accomplish the purposes
27 set out in sec. 10 of this chapter the commission shall:

28 (1) establish administrative areas suitable for regulating
29 and controlling entry into the commercial fisheries;

1 (2) establish, for all types of gear, the maximum number of
2 units of gear for each administrative area;

3 (3) establish qualifications for the issuance of entry
4 permits to gear operators;

5 (4) issue entry permits to qualified applicants for each
6 administrative area;

7 (5) issue interim entry permits as provided in sec. 190 of
8 this chapter;

9 (6) establish, for all types of gear, the optimum number of
10 units of gear for each administrative area;

11 (7) administer the buy-back program provided for in secs.
12 290 - 300 of this chapter to reduce the maximum number of units of gear
13 to the optimum number of units of gear for all types of gear and all
14 administrative areas;

15 (8) provide for the transfer and reissuance of entry permits
16 to qualified transferees;

17 (9) provide for the transfer and reissuance of entry permits
18 for alternative types of legal gear, in a manner consistent with the
19 purposes of this chapter;

20 (10) administer the collection of the annual fees provided
21 for in sec. 240 of this chapter.

22 (b) The commission may do all things necessary to the exercise of
23 its powers under this chapter, whether or not specifically designated in
24 this chapter.

25 Sec. 16.43.130. ADMINISTRATIVE AUTHORITY, REGULATIONS AND HEARING
26 PROCEDURES. (a) The commission may adopt regulations, not inconsistent
27 with the law, necessary or proper in the exercise of its powers or for
28 the performance of its duties under this chapter.

29 (b) The commission shall adopt regulations, consistent with due

1 process of law, which govern practice and procedure and the conduct
2 of all investigations, hearings and proceedings which it holds.

3 (c) Common law rules of evidence apply to investigations, hearings
4 and proceedings before the commission, except when the commission deter-
5 mines that their application is not required in order to assure fair
6 treatment of all parties and that the evidence is relevant and of the
7 sort on which responsible persons are accustomed to rely in the conduct
8 of serious matters.

9 (d) The commission, each commissioner, or an employee authorized
10 by the commission may administer oaths, certify to all official acts,
11 and issue subpoenas and other process to compel the attendance of wit-
12 nesses and the production of testimony, records, papers, accounts and
13 documents in an inquiry, investigation, hearing, or proceeding before
14 the commission in any part of the state. The commission may petition
15 a court of this state to enforce its subpoenas or other process.

16 Sec. 16.43.140. APPLICATION OF ADMINISTRATIVE PROCEDURE ACT. (a)
17 The administrative adjudication procedures of the Administrative Proce-
18 dure Act (AS 44.62) do not apply to adjudicatory proceedings of the
19 commission except that final administrative determinations by the com-
20 mission are subject to judicial review as provided in AS 44.62.560 -
21 44.62.570.

22 (b) AS 44.62.010 - 44.62.320 apply to regulations adopted by the
23 commission.

24 ARTICLE 3. ESTABLISHMENT OF MAXIMUM NUMBER OF UNITS OF GEAR.

25 Sec. 16.43.150. ADMINISTRATIVE AREAS. (a) The commission shall
26 establish administrative areas suitable for regulating and controlling
27 entry into the commercial fisheries. The commission shall make the
28 administrative areas reasonably compatible with the geographic areas
29 for which specific commercial fishing regulations are written and

1 according to which the legality of types of gear is defined by the
2 Board of Fish and Game.

3 (b) The commission may modify or change the boundaries of adminis-
4 trative areas when necessary and consistent with the purposes of this
5 chapter.

6 Sec. 16.43.160. MAXIMUM NUMBER OF UNITS OF GEAR. Except as pro-
7 vided in secs. 170 - 175 of this chapter, the maximum number of units of
8 gear for each type of gear and each administrative area shall be the
9 highest number of units of gear fished during any of the four years
10 directly preceding January 1, 1973.

11 Sec. 16.43.170. DISTRESSED FISHERIES. (a) The legislature finds
12 the sustained yield management and economic health of the following
13 fisheries, as enumerated by type of gear and registration area, to be
14 in a presently distressed condition resulting, among other factors,
15 from too many units of gear participating in the commercial harvest:

16 (1) Bristol Bay registration area - drift gillnet fishery
17 and set gillnet fishery;

18 (2) Cook Inlet registration area - drift gillnet fishery
19 and set gillnet fishery;

20 (3) Prince William Sound registration area - drift gillnet
21 fishery.

22 (b) The commission shall establish the maximum number of units
23 of gear for the fisheries enumerated in (a) of this section at levels
24 which will reasonably promote the rapid economic recovery and the
25 improved sustained yield management of those fisheries. The maximum
26 number of units of gear established for the fisheries enumerated in
27 (a) of this section shall be no less than 75 per cent of the highest
28 number of units of gear fished during any of the four years directly
29 preceding January 1, 1973.

1 Sec. 16.43.175. MAXIMUM NUMBER OF UNITS OF TROLL GEAR. The
2 maximum number of units of troll gear shall equal the number of quali-
3 fied applicants for troll gear entry permits under the standards set
4 out in sec. 205 of this chapter.

5 ARTICLE 4. ENTRY PERMITS.

6 Sec. 16.43.180. PERMIT REQUIRED. (a) After January 1, 1974, no
7 person may operate gear engaged in the commercial taking of fishery
8 resources without a valid entry permit or a valid interim entry permit
9 issued by the commission.

10 (b) A permit is not required of a crewman or other person assist-
11 ing in the operation of a unit of gear engaged in the commercial taking
12 of fishery resources as long as the holder of the entry permit or the
13 interim entry permit for that particular unit of gear is at all times
14 present and actively engaged in the operation of the gear.

15 (c) A person may hold more than one entry permit issued or trans-
16 ferred under this chapter only for the following purposes:

17 (1) fishing more than one type of gear;
18 (2) fishing in more than one administrative area;
19 (3) harvesting fishery resources for which separate entry
20 permits are issued;

21 (4) transferring entry permits for alternative types of
22 legal gear as provided in sec. 250 of this chapter.

23 Sec. 16.43.190. INTERIM ENTRY PERMIT; QUALIFICATIONS. (a) Pending
24 the establishment of the maximum number of units of gear under secs.
25 160 - 170 of this chapter and the issuance of entry permits under sec.
26 220 of this chapter, the commission shall issue interim entry permits
27 under regulations promulgated by the commission for each type of gear
28 and for each administrative area, to all applicants who can establish
29 their present ability to participate actively in the fishery for which

1 they are making application.

2 (b) Before the issuance of the maximum number of entry permits
3 for a given administrative area, the commission may issue interim entry
4 permits to any applicant who may later become eligible for an entry
5 permit under sec. 220 of this chapter.

6 Sec. 16.43.200. ENTRY PERMIT QUALIFICATIONS. (a) Following the
7 establishment of the maximum number of units of gear under secs. 160 -
8 170 of this chapter, the commission shall adopt regulations setting out
9 the qualifications for entry permits for each administrative area and
10 for each type of gear. The regulations shall define reasonable priority
11 classifications of similarly situated applicants based upon a reasonable
12 balance of the following standards of performance:

13 (1) degree of economic dependence upon the fishery, including
14 but not limited to percentage of income derived from the fishery, reli-
15 ance on alternative occupations, availability of alternative occupa-
16 tions, investment in vessels and gear, and considering appropriate
17 adjustments for cost of living;

18 (2) extent of past participation in the fishery, including
19 but not limited to the number of years participation in the fishery,
20 and the consistency and character of participation during each year.

21 Sec. 16.43.205. QUALIFICATIONS FOR TROLL GEAR ENTRY PERMITS.
22 Each applicant who held a troll gear license issued under AS 16.05.550
23 and made commercial landings during any one of the three years directly
24 preceding January 1, 1973 shall qualify for the issuance of entry per-
25 mits under sec. 220(e) of this chapter.

26 Sec. 16.43.210. APPLICATION FOR ENTRY PERMITS. (a) The commis-
27 sion shall accept applications for entry permits only from applicants
28 who have harvested fishery resources commercially while participating
29 in the fishery as holders of gear licenses issued under AS 16.05.536 -

1 16.05.670. Application for an entry permit shall be submitted within
2 one year from the effective date of this Act.

3 (b) The commission shall establish the opening dates, places and
4 form of application for entry permits for each type of gear and each
5 administrative area. The commission may require the submission of
6 specific verified evidence establishing the applicant's qualifications
7 under the regulations adopted under sec. 200 of this chapter.

8 (c) When an applicant is unable to establish his qualifications
9 for an entry permit by submitting the specific verified evidence re-
10 quired in the application by the commission, he may request and obtain
11 an administrative adjudication of his application according to the pro-
12 cedures established in secs. 130 - 140 of this chapter. At the hearing
13 he may present alternative evidence of his qualifications for an entry
14 permit.

15 (d) An applicant shall be assigned to a priority classification
16 based solely upon his qualifications as of January 1, 1973.

17 Sec. 16.43.220. ISSUANCE OF ENTRY PERMITS. (a) After the closing
18 date for applications, the commission shall assign each qualified appli-
19 cant to the appropriate priority classification as determined under
20 sec. 200 of this chapter based upon the evidence of his qualification
21 established under sec. 210 of this chapter.

22 (b) The commission shall issue entry permits, for each adminis-
23 trative area and each type of gear, first to all qualified applicants
24 in the highest priority classification, and then to all qualified appli-
25 cants in each descending priority classification, until the number of
26 entry permits issued equals the maximum number of units of gear estab-
27 lished under secs. 160 - 170 of this chapter for each administrative
28 area and each type of gear.

29 (c) If, within the lowest priority classification of qualified

1 applicants to which some entry permits may be issued, there are more
2 applicants than there are entry permits to be issued, then the alloca-
3 tion of entry permits within that priority classification shall be by
4 lottery.

5 (d) If, at the time entry permits are issued, some applicants are
6 still appealing the findings of an administrative adjudication under
7 sec. 210 of this chapter, a sufficient number of permits shall be re-
8 served out of the permits to be issued, to protect the rights of those
9 applicants, assuming all the appeals will be resolved in favor of the
10 applicants. In the event that all appeals are not resolved in favor
11 of the applicants, the remaining entry permits shall be allocated to
12 the next most qualified applicants as provided in (a), (b) and (c) of
13 this section.

14 (e) The commission shall issue entry permits for troll gear to
15 applicants who qualify under sec. 205 of this chapter.

16 Sec. 16.43.230. TERMS AND CONDITIONS OF ENTRY PERMITS. (a) Each
17 entry permit gives the permittee a personal right to operate a unit of
18 a specified type of gear within a specified administrative area.

19 (b) The permittee must have the entry permit in his possession
20 at all times when engaged in the commercial harvest of fishery resources.

21 (c) Each entry permit is issued for an initial term of one year,
22 and confers upon the permittee a permanent right of renewal. Failure
23 to renew an entry permit annually does not result in the loss of the
24 right to renew the permit upon payment of all accrued annual fees,
25 except that failure to renew an entry permit for a period of five years
26 from the date of issue or date of last renewal shall result in a for-
27 feiture of the entry permit.

28 (d) The commission shall establish terms and conditions upon
29 which entry permits may survive the death of the permittee.

1 (e) Except as provided by the commission, an entry permit may not
2 be pledged or hypothecated and is not subject to attachment, distraint,
3 or sale on execution of judgment.

4 Sec. 16.43.240. FEES. (a) Except as provided in (b) and (c) of
5 this section, there is an annual fee of \$50 for the issuance and annual
6 renewal of entry permits or interim entry permits. The commission may
7 adopt regulations revising the amount of renewal fees to reflect the
8 cost of administering this chapter. Fees collected under this section
9 shall be paid into the general fund.

10 (b) When entry permits are issued under sec. 220 of this chapter,
11 any applicant who will receive an entry permit and who has a net family
12 income falling within the Federal Social Security Administration poverty
13 guidelines for the year directly preceding the issuance of the entry
14 permit may elect to receive a permit subject to a five-year prohibition
15 on any transfer under sec. 250 of this chapter. Entry permits subject
16 to the five-year prohibition on transfer may be transferred under the
17 emergency transfer provisions of sec. 255 of this chapter and shall
18 survive the death of the holder under sec. 230(d) of this chapter and
19 are subject to a maximum fee of \$5 for the issuance and annual renewal
20 of the entry permit during the five-year period.

21 (c) When interim entry permits are issued under sec. 190 of this
22 chapter any applicant receiving an interim entry permit who has a net
23 family income falling within the Federal Social Security Administration
24 poverty guidelines for the year directly preceding the issuance of the
25 interim entry permit shall be subject to a maximum fee of \$5 for the
26 issuance and annual renewal of an interim entry permit.

27 Sec. 16.43.250. TRANSFER OF ENTRY PERMITS. (a) The holder of an
28 entry permit may transfer his permit to another person upon six months
29 notice of intent to transfer under regulations adopted by the commission.

1 No sooner than six months nor later than eighteen months from the date
2 of notice to the commission, the holder of an entry permit may transfer
3 his permit to another person. If the proposed transferee can establish
4 present ability and intent to participate actively in the fishery, and
5 the proposed transfer is otherwise consistent with the purposes of this
6 chapter, the commission shall approve the transfer and reissue the
7 entry permit to the transferee. The commission may by regulation pro-
8 vide for extensions beyond the eighteen month period in exceptional
9 circumstances when the holder is not reasonably able to transfer his
10 permit within eighteen months.

11 (b) When otherwise consistent with the purposes of this chapter,
12 the commission may adopt regulations providing for the transfer and
13 reissuance of entry permits within a given administrative area from
14 one type of gear to another type of gear. The regulations shall re-
15 flect the relative differences in average efficiency of different types
16 of gear and shall establish transfer ratios between types of gear
17 which will maintain a stable level of fishing within that administrative
18 area.

19 Sec. 16.43.255. EMERGENCY TRANSFERS. The commission shall
20 adopt regulations providing for the temporary transfer of an entry
21 permit when sickness, injury, or other unavoidable hardship tempo-
22 rarily prevents the entry permit holder from participating in the
23 fishery.

24 Sec. 16.43.260. REISSUANCE OF ENTRY PERMITS. When additional
25 entry permits become available for issuance, either due to an increase
26 in the maximum number of units of gear under sec. 170 of this chap-
27 ter or the forfeiture of existing entry permits under sec. 230(c)
28 of this chapter, the commission shall adopt regulations consistent
29 with the purposes of this chapter, providing for the issuance of

1 such permits.

2 ARTICLE 5. ESTABLISHMENT OF OPTIMUM NUMBER OF
3 UNITS OF GEAR.

4 Sec. 16.43.270. OPTIMUM NUMBER OF UNITS OF GEAR. Following the
5 issuance of entry permits under sec. 220 of this chapter, the
6 commission shall establish the optimum number of units of gear for
7 each type of gear and for each administrative area based upon a
8 reasonable balance of the following general standards:

9 (1) the number of units of gear that will result in a
10 reasonable average rate of economic return to the fishermen participat-
11 ing in that fishery, considering time fished and necessary capital
12 investments in vessels and gear;

13 (2) the number of units of gear necessary to harvest the
14 allowable commercial take of the fishery resource during all years in
15 an orderly, efficient manner, and consistent with sound fishery
16 management techniques.

17 Sec. 16.43.280. REVISIONS OF OPTIMUM NUMBER OF UNITS OF GEAR. (a)
18 The commission may increase or decrease the optimum number of units of
19 gear for a type of gear or an administrative area, when one or more of
20 the following conditions makes a change desirable considering the
21 purposes of this chapter.

22 (1) An established long-term change in the biological con-
23 dition of the fishery resource has occurred which substantially alters
24 the optimum number of units of gear permissible applying the standards
25 set out in sec. 270 of this chapter.

26 (2) An established long-term change in market conditions has
27 occurred, directly affecting the commercial fishery, which substantially
28 alters the optimum number of units of gear permissible under the
29 standards set out in sec. 270 of this chapter.

1 (3) An established long-term change in the commercial fish-
2 ery, resulting from regulations adopted by the Board of Fish and Game,
3 which substantially alters the optimum number of units of gear permis-
4 sible under the standards set out in sec. 270 of this chapter has occurred.

5 (b) The commission may decrease the optimum number of units of
6 gear for a type of gear or an administrative area only under the
7 voluntary buy-back provisions set out in secs. 290 - 300 of this
8 chapter.

9 ARTICLE 6. REDUCTION TO OPTIMUM NUMBER OF UNITS OF GEAR:
10 VOLUNTARY BUY-BACK PROGRAM.

11 Sec. 16.43.290. ESTABLISHMENT OF BUY-BACK FUNDS. (a) When
12 the optimum number of units of gear is less than the maximum number of
13 units of gear established for a type of gear and administrative area,
14 or when there is a decrease in the optimum number of units of gear
15 under sec. 280 of this chapter, the commission shall establish and
16 administer a buy-back fund for that area and type of gear for the
17 purpose of voluntarily reducing the number of units of gear to the
18 optimum number.

19 (b) For each buy-back fund, the commission shall adopt regulations
20 establishing annual assessments on holders of entry permits of not more
21 than seven per cent of the gross value of the total annual catch attri-
22 butable to a holder's entry permit, except that the holder of a permit
23 who has made no commercial landings in a given year will be assessed
24 the average amount paid by all other holders of the same type of permit
25 in that year. Assessments will be paid into the specific buy-back fund
26 for which they are collected.

27 (c) Buy-back funds and annual assessments established under this
28 section terminate when the number of units of gear is reduced to the
29 optimum number.

1 Sec. 16.43.300. ADMINISTRATION OF THE BUY-BACK PROGRAM. The
2 commission shall adopt regulations providing for the purchase of entry
3 permits, vessels, and gear at fair market value with money accumulated
4 in the buy-back funds for each area and type of gear. The buy-back
5 program shall terminate when the numbers of units of gear are reduced
6 to optimum numbers.

7 ARTICLE 7. GENERAL PROVISIONS

8 Sec. 16.43.310. APPLICATIONS OF REGULATIONS OF BOARD OF FISH AND
9 GAME. Nothing in this chapter limits the powers of the Board of Fish
10 and Game, including the power to determine legal types of gear, and
11 the power to establish size limitations or other uniform restrictions
12 applying to a certain type of gear. Holders of entry permits issued
13 under this chapter are subject to all valid regulations adopted
14 by the Board of Fish and Game.

15 Sec. 16.43.320. PENALTIES. (a) A person who violates sec. 180 of
16 this chapter or a rule or regulation promulgated under this chapter is
17 guilty of a misdemeanor and, upon conviction, is punishable by a fine
18 of not more than \$5,000 for a first conviction, a fine of not more than
19 \$10,000 for a second conviction, and a fine of not more than \$10,000,
20 and the permanent loss of eligibility for an entry permit, for a third
21 conviction.

22 (b) A person who makes a false statement of a material fact in
23 making application for an entry permit, or for the purposes of obtaining
24 an emergency transfer, is guilty of a misdemeanor and, upon conviction
25 is punishable by a fine of not more than \$10,000 and the permanent loss
26 of eligibility for an entry permit.

27 Sec. 16.43.330. DEFINITIONS. In this chapter

28 (1) "allowable commercial take" means the approximate size
29 range of the anticipated commercial harvest of a species under sustained

1 yield management implemented by regulations adopted by the Board of
2 Fish and Game and emergency regulations adopted by the commissioner of
3 fish and game;

4 (2) "commission" means Alaska Commercial Fisheries Entry
5 Commission;

6 (3) "gear" means the specific apparatus used in the commercial
7 harvest of a fishery resource and includes, by way of example, purse
8 seines, drift gillnets, set gillnets, troll gear, and shellfish pots;

9 (4) "type of gear" means a customary and identifiable classi-
10 fication of gear including those classifications for which separate
11 regulations are adopted by the Board of Fish and Game and for which
12 separate gear licenses are required by AS 16.05.550 - 16.05.630, and
13 including distinct subclassifications of gear such as "power troll
14 gear" and "hand troll gear";

15 (5) "unit of gear" means the maximum amount of a specific
16 type of gear which can be fished under a single gear license subject
17 to all valid regulations established by the Board of Fish and Game de-
18 fining the legal requirements for that type of gear;

19 (6) "priority classification" means the allocation of po-
20 tential permit applicants into reasonable groupings of similarly
21 situated applicants and the priority ranking of those groupings
22 according to the extent to which they satisfy the statutory standards
23 of preference;

24 * Sec. 2. AS 16.05.250(14) is amended to read:

25 (14) establishment of the times and dates during which the
26 issuance of fish and game licenses, permits, and registrations and the
27 transfer of permits and registrations between registration areas, game
28 management units or subunits, is allowed; however, this paragraph does
29 not apply to permits issued or transferred under ch. 43 of this title.

1 * Sec. 3. This Act takes effect on the day after its passage and approval
2 or on the day it becomes law without approval.

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