

Introduced: 1/26/77  
Referred: Resources

1 IN THE SENATE

BY THE RULES COMMITTEE BY  
REQUEST OF THE GOVERNOR

2 HCS SENATE BILL NO. 83 (Jud)  
3 IN THE LEGISLATURE OF THE STATE OF ALASKA  
4 TENTH LEGISLATURE - FIRST SESSION  
5 A BILL

6 For an Act entitled: "An Act relating to the transfer of commercial  
7 fisheries entry and interim use permits."

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

9 \* Section 1. AS 16.43.150(g) is amended to read:

10 (g) An entry permit may not be:

- 11 (1) pledged, mortgaged, leased, or encumbered in any way;  
12 (2) transferred with any retained right of repossession or  
13 foreclosure; or  
14 (3) attached, distrained, or sold on execution of judgment  
15 or under any other process or order of any court.

16 \* Sec. 2. AS 16.43.170(a) is amended to read:

17 (a) Entry permits and interim-use permits are [AN ENTRY PERMIT  
18 IS] transferable only through the commission as provided in this  
19 section and sec. 180 of this chapter and under regulations adopted by  
20 the commission.

21 \* Sec. 3. AS 16.43.170(b) is amended to read:

22 (b) Except as provided in (c) [AND (d)] of this section, the  
23 holder of an entry permit may transfer his permit to another person or  
24 to the commission upon 60 days notice of intent to transfer under  
25 regulations adopted by the commission. No sooner than 60 days nor  
26 later than 12 months from the date of notice to the commission, the  
27 holder of an entry permit may transfer his permit. If the proposed  
28 transferee, other than the commission, can establish present ability  
29 to participate actively in the fishery, the commission shall approve

1 the transfer and reissue the entry permit to the transferee.

2 \* Sec. 4. AS 16.43.180(a) is amended to read:

3 (a) The commission shall adopt regulations providing for the  
4 temporary transfer of entry permits and interim-use permits to alleviate  
5 hardship caused by illness, disability, or death of a permit holder so  
6 that another person may operate the transferor's vessel and gear, or  
7 another vessel and other gear if the transferor's has been destroyed or  
8 seriously damaged, for the remainder of the season, or in the case of  
9 illness or disability, for the duration of the illness or disability if  
10 that is shorter than the remainder of the season. Interim-use permits  
11 are otherwise nontransferable [AN ENTRY PERMIT WHEN SICKNESS, INJURY,  
12 OR OTHER UNAVOIDABLE HARDSHIP PREVENTS THE PERMITTEE FROM PARTICIPATING  
13 IN THE FISHERY].

14 \* Sec. 5. AS 16.43.360 is amended by adding a new subsection to read:

15 (d) If a permit holder is charged by the state with violating a  
16 provision of this chapter or a regulation adopted under this chapter,  
17 he may not transfer, under sec. 170 of this chapter, any interim-  
18 use or entry permit he may hold, until after the final adjudication or  
19 dismissal of the charges.

20 \* Sec. 6. AS 16.43.170(d) and 16.43.220(b) are repealed.  
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