

Introduced: 3/7/79
Referred: Resources and
Judiciary

1 IN THE HOUSE

BY GARDINER AND ANDERSON

2 HOUSE BILL NO. 360

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 ELEVENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to late applications for limited entry
7 permits; and providing for an effective date."

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

9 * Section 1. FINDINGS. The legislature finds that

10 (1) many persons who were otherwise qualified for limited entry
11 permits have not received permits solely because of their failure to submit
12 an application to the Alaska Commercial Fisheries Entry Commission before the
13 closing date for applications set by the commission in accordance with
14 AS 16.43.260(b);

15 (2) in order to prevent economic distress among fishermen and
16 their dependents, to regulate entry into the commercial fisheries without
17 unjust discrimination, and to ensure that permits are awarded on the basis of
18 hardship, as defined in AS 16.43.250, it is necessary to ensure that persons
19 eligible for permits are not denied permits solely because of a failure to
20 apply in a timely fashion.

21 * Sec. 2. APPLICATIONS FOR LIMITED ENTRY PERMITS. Notwithstanding the
22 provisions of AS 16.43.260 relating to closing dates for application periods,
23 the Alaska Commercial Fisheries Entry Commission shall accept applications
24 for limited entry permits for those fisheries for which the application
25 periods have closed from all persons who meet the eligibility requirements of
26 AS 16.43.260(a) but who failed to apply for limited entry permits for the
27 fisheries within the time period established by the Alaska Commercial Fish-
28 eries Entry Commission for the fisheries. The Alaska Commercial Fisheries
29 Entry Commission shall process applications received under this section as if

1 they had been submitted during the application period set by the commission,
2 except that the commission shall afford an additional reasonable period of
3 time for the submission of supporting evidence. The application period
4 established in this section shall open June 1, 1979, and shall close June 1,
5 1980.

6 * Sec. 3. The Alaska Commercial Fisheries Entry Commission shall process
7 applications received under sec. 2 of this Act in accordance with regulations
8 applicable to the fishery into which entry is sought except as otherwise
9 provided in sec. 2 of this Act. The Alaska Commercial Fisheries Entry Com-
10 mission shall issue permits to persons applying under this Act who demon-
11 strate hardship equal to that shown by persons previously issued permits.
12 The Alaska Commercial Fisheries Entry Commission may issue permits in excess
13 of the maximum number of permits established for a fishery under AS 16.43.-
14 230 - 16.43.240 for the purposes of this section. This section does not
15 authorize the Alaska Commercial Fisheries Entry Commission to revoke any
16 permit previously issued.

17 * Sec. 4. This Act takes effect June 1, 1979.

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