

Introduced: 3/13/79
Referred: Resources and
State Affairs

1 IN THE SENATE

BY SACKETT

2 SENATE CONCURRENT RESOLUTION NO. 22
3 IN THE LEGISLATURE OF THE STATE OF ALASKA
4 ELEVENTH LEGISLATURE - FIRST SESSION

5 Relating to the limited entry pro-
6 gram.

7 BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF ALASKA:

8 WHEREAS art. VIII, sec. 15 of the Alaska Constitution provides that the
9 state may "limit entry into any fishery for purposes of resource conserva-
10 tion, to prevent economic distress among fishermen and those dependent upon
11 them for a livelihood"; and

12 WHEREAS AS 16.43 establishes the Alaska Commercial Fisheries Entry Com-
13 mission and states the legislative purpose as promoting the conservation and
14 sustained-yield management of the fisheries and the economic health and
15 stability of the commercial fisheries by regulating and controlling entry
16 into the commercial fisheries in the public interest and without unjust
17 discrimination; and

18 WHEREAS under AS 16.43.230 the commission is authorized to limit entry
19 into distressed fisheries when it determines that the optimum number of entry
20 permits will be less than the highest number of units of gear fished during
21 any of the four years preceding 1973; and

22 WHEREAS under AS 16.43.240(b) the commission is authorized to limit
23 entry into certain fisheries when it finds that a fishery not designated as a
24 distressed fishery has reached such levels of participation that a limitation
25 on entry into that fishery is required in order to achieve the purposes of
26 AS 16.43; and

27 WHEREAS under AS 16.43.240(a) the commission is authorized to establish
28 that the maximum number of entry permits in distressed fisheries shall be the
29 highest number of units of gear fished during any of the four years preceding

1 1973; and

2 WHEREAS AS 16.43.240(b) does not specify the formula for determining the
3 maximum number of permits when limiting entry into the fishery under that
4 section; and

5 WHEREAS in 1975 the commission decided to limit commercial entry into
6 the area known as the Upper Yukon under AS 16.43.240(a) and in doing so set
7 the maximum number of permits for the Upper Yukon as the highest average
8 number of units of gear fished during any of the four years preceding 1973;
9 and

10 WHEREAS, before 1970, participation in the commercial fishery of the
11 Upper Yukon included barter and sale of fresh, smoked and dried fish products
12 within the region and indirect sales through intermediaries to fish buyers;
13 and

14 WHEREAS past participation in and economic reliance upon the commercial
15 fishery of the Upper Yukon was not restricted to persons holding a gear
16 license or a fishwheel registration; and

17 WHEREAS the action by the commission in limiting entry into the Upper
18 Yukon and setting the maximum number of permits based upon gear licenses or
19 fishwheel permits has resulted in some persons receiving a permit with only
20 one year of participation in the fishery, while other persons with many years
21 of past participation were excluded;

22 BE IT RESOLVED by the Alaska State Legislature that the Legislative
23 Budget and Audit Committee is directed to undertake a performance audit of
24 the Alaska Commercial Fisheries Entry Commission; and be it

25 FURTHER RESOLVED that the Alaska Commercial Fisheries Entry Commission
26 is respectfully requested to determine how many persons with past participa-
27 tion in the commercial fishery in the Upper Yukon region by means of barter
28 and sale of fresh, smoked and dried fish products and indirect sales to fish
29 buyers through intermediaries have been excluded from the permit system; and

1 be it

2 FURTHER RESOLVED that the Alaska Commercial Fisheries Entry Commission
3 is respectfully requested to consider whether the high average number of
4 units of gear fished before 1975 accurately reflected the highest average
5 number of persons with a substantial income reliance upon the commercial
6 fishery of the Upper Yukon; and be it

7 FURTHER RESOLVED that the Alaska Commercial Fisheries Entry Commission
8 and the Legislative Budget and Audit Committee are respectfully directed to
9 report their findings and conclusions within the first 10 days of the Second
10 Session of the Twelfth Legislature.

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