

Original sponsor: Sackett

Offered: 4/27/79
Referred: Rules

1 IN THE SENATE

BY THE RESOURCES COMMITTEE

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HOUSE CS FOR SENATE CONCURRENT RESOLUTION NO. 22

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IN THE LEGISLATURE OF THE STATE OF ALASKA

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ELEVENTH LEGISLATURE - FIRST SESSION

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Relating to the limited entry pro-

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gram.

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

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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

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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

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WHEREAS under AS 16.43.240(b) the commission is authorized to limit
19 entry into certain fisheries when it finds that a fishery has reached such
20 levels of participation that limitation of entry to that fishery is required
21 in order to achieve the purposes of AS 16.43; and

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WHEREAS AS 16.43.240(b) does not specify a formula for the commission to
23 determine the maximum number of permits authorized when limiting entry into a
24 fishery under that section; and

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WHEREAS in 1976, under AS 16.43.240(b), the commission decided to limit
26 commercial fishing in the area known as Upper Yukon and set the maximum
27 number of permits for the Upper Yukon as the number of units of gear fished
28 in the Upper Yukon during 1975; and

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WHEREAS major commercial fishing markets did not develop for many areas

1 of the Upper Yukon fishery until after 1970; and

2 WHEREAS past participation in the commercial fishery of the Upper Yukon
3 that led to a high degree of economic reliance upon the commercial fishery
4 included barter and sale of fresh, smoked and dried fish products within the
5 region and indirect sales through intermediaries to fish buyers; and

6 WHEREAS past participation in and economic reliance upon the operation
7 of gear in the commercial fishery of the Upper Yukon was not restricted to
8 persons holding a gear license or a fishwheel registration; and

9 WHEREAS it appears that some persons who have participated for many
10 years in the Upper Yukon commercial fishery and had a high degree of economic
11 reliance upon the fishery may have been excluded from receiving an entry
12 permit;

13 BE IT RESOLVED by the Alaska State Legislature that the Alaska Commer-
14 cial Fisheries Entry Commission is respectfully requested to determine which
15 interested persons with past participation in and economic reliance (includ-
16 ing the barter and sale of fresh, smoked and dried fish products) on the
17 commercial fishery of the Upper Yukon since 1960 through the operation of
18 gear, regardless of whether those persons held a gear license or a fishwheel
19 registration, have not been issued a permit; and be it

20 FURTHER RESOLVED that the Alaska Commercial Fisheries Entry Commission
21 is respectfully requested to determine whether the maximum number of permits
22 set for the Upper Yukon fishery is consistent with the objectives of AS 16.-
23 43; and be it

24 FURTHER RESOLVED that the Legislative Limited Entry Study Committee,
25 with the cooperation of the Alaska Commercial Fisheries Entry Commission, is
26 respectfully requested to determine whether controlling entry into the
27 commercial fisheries in the Upper Yukon has resulted in any unjust discrim-
28 ination and to determine what options are available to the legislature to
29 correct any unjust discrimination; and be it

1 FURTHER RESOLVED that the Alaska Commercial Fisheries Entry Commission
2 and the Legislative Limited Entry Study Committee are respectfully directed
3 to report their findings and conclusions within the first 10 days of the
4 Second Session of the Eleventh Legislature.

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