

Introduced: 3/25/81
Referred: Resources

1 IN THE HOUSE

BY ZHAROFF, CLOCKSIN, CATO
AND CHUCKWUK BY REQUEST

2 HOUSE BILL NO. 402

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TWELFTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to late applications for limited
7 entry 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
13 the 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
18 of the hardship standards established under AS 16.43.250, it is necessary to
19 ensure that persons eligible for permits are not denied permits solely
20 because of a failure to 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
26 of 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. Persons who have previously sub-
29 mitted applications to the Alaska Commercial Fisheries Entry Commission



1 after the closing dates of the application period for the fisheries, but
 2 before the effective date of this Act shall be considered to have applied
 3 under this section. The application period established in this section
 4 shall open on the effective date of this Act and shall close on December 31,
 5 1981. The Alaska Commercial Fisheries Entry Commission shall process appli-
 6 cations received under this section as if they had been submitted during the
 7 application period set by the commission, except that the commission shall
 8 afford an additional reasonable period of time for the submission of support-
 9 ing evidence. Applications received under this section for a fishery may
 10 not be processed until the commission has substantially completed processing
 11 those applications for that fishery which were received before the closing
 12 date of the application period established by the commission for that
 13 fishery.

14 * Sec. 3. ISSUANCE OF LIMITED ENTRY PERMITS TO APPLICANTS. The Alaska
 15 Commercial Fisheries Entry Commission shall process applications received
 16 under sec. 2. of this Act in accordance with regulations applicable to the
 17 fishery into which entry is sought except as otherwise provided in sec. 2 of
 18 this Act. The Alaska Commercial Fisheries Entry Commission shall issue
 19 permits to persons applying under this Act who demonstrate hardship equal to
 20 that shown by persons previously issued permits. However, the Alaska Commer-
 21 cial Fisheries Entry Commission may not issue permits under this Act to
 22 persons ranked in the priority classification under AS 16.43.250(c) of
 23 applicants who would suffer only minor economic hardship by exclusion from
 24 the fishery. The Alaska Commercial Fisheries Entry Commission may issue
 25 permits in excess of the maximum number of permits established for a fishery
 26 under AS 16.43.230 - 16.43.240 if necessary to implement this section. This
 27 section does not authorize the Alaska Commercial Fisheries Entry Commission
 28 to revoke a permit previously issued.

29 * Sec. 4. This Act takes effect immediately in accordance with AS 01.10.-



1 070(c).

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