

CS FOR SENATE BILL NO. 423 (FSH)
IN THE LEGISLATURE OF THE STATE OF ALASKA
SEVENTEENTH LEGISLATURE - SECOND SESSION

BY THE SENATE SPECIAL COMMITTEE ON DOMESTIC AND INTERNATIONAL COMMERCIAL FISHERIES

Offered: 4/27/92
Referred: Rules

Sponsor(s): SENATOR ZHAROFF

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to the year-to-year transfer of a limited entry permit of a permit holder
2 who is at least 65 years old and unable to participate in the fishery due to illness or
3 disability; and providing for an effective date."

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

5 * Section 1. FINDINGS. The legislature finds that

6 (1) current law relating to the emergency transfers of limited entry permits does not
7 adequately address the concerns of commercial fishermen who are 65 years of age or older and suffer
8 from physical disabilities;

9 (2) commercial fishermen 65 years of age or older who, because of illness or disability,
10 can no longer participate in physically demanding commercial fisheries should not be forced to sell their
11 permits, but instead should be allowed to transfer them to younger individuals and to plan for themselves
12 an orderly transition from active commercial fishing to retirement;

13 (3) commercial fishermen 65 years of age or older, who suffer from physical disabilities,
14 should be allowed to participate in the fisheries in a less strenuous manner, thereby imparting the

1 knowledge gained from many years of experience to younger fishermen;

2 (4) 65 years of age is the established age of retirement in our society and the qualifying
3 age for a large number of programs for senior citizens;

4 (5) allowing limited entry permit holders who are 65 years of age or older to transfer a
5 permit from year-to-year may enable young Alaskans with low incomes to participate in commercial
6 fishing as gear operators and give them the opportunity to acquire the capital necessary to purchase their
7 own limited entry permits;

8 (6) allowing all limited entry permit holders to transfer a permit from year-to-year would
9 result in speculation in fisheries entry permits by individuals who purchase permits with the intention
10 of living off the income generated by other individuals who actually operate the permits; such a practice
11 would be disruptive to the commercial fishing industry and should not be allowed;

12 (7) commercial fishermen who have held a permit in a specific fishery for 10 years or
13 more immediately preceding the request to transfer an entry permit are bona fide commercial fishermen
14 who have invested considerable time and money in the commercial fishing industry and have
15 demonstrated their commitment to and current dependence upon commercial fishing as a livelihood and
16 a profession.

17 * Sec. 2. AS 16.43.180 is amended by adding a new subsection to read:

18 (c) The commission shall adopt regulations providing for the temporary transfer from
19 year-to-year of an entry permit if the permit holder is at least 65 years of age, has been an
20 interim-use or entry permit holder for at least 10 years immediately preceding the request to
21 transfer the entry permit, and is unable to participate in the fishery for reasons of illness or
22 disability. This subsection does not apply to entry permits that are not transferable to a person
23 under AS 16.43.170(c) or (e).

24 * Sec. 3. AS 16.43.180(c), added by sec. 2 of this Act, is repealed December 31, 1997.

25 * Sec. 4. This Act takes effect immediately under AS 01.10.070(c).