

HOUSE BILL NO. 134

IN THE LEGISLATURE OF THE STATE OF ALASKA

EIGHTEENTH LEGISLATURE - FIRST SESSION

BY REPRESENTATIVE MOSES

Introduced: 2/5/93

Referred: House Special Committee on Fisheries, Resources, Judiciary, Finance

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to temporary transfers of commercial fisheries entry permits."

2 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

3 * Section 1. FINDINGS. The legislature finds that

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

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

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

1 (4) 65 years of age is the established age of retirement in our society and the
2 qualifying age for a large number of programs for senior citizens;

3 (5) commercial fishermen do not have an established retirement system;

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

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

13 (8) commercial fishermen who have participated in a specific fishery for 10
14 years or more are bona fide commercial fishermen who have invested considerable time and
15 money in the commercial fishing industry and who have demonstrated their commitment to
16 commercial fishing as a livelihood and 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
19 transfer from year-to-year of an entry permit if the permit holder is at least 65 years
20 of age, has participated in the fishery for which the permit is issued for at least 10
21 years, and is unable to participate in the fishery for medical reasons.