

HB

630

3/3 Teleconference

4/24 Hearing

4/29 Reported Out



Alaska State Legislature

House

HOUSE RESOURCES COMMITTEE

FISH & GAME ISSUES

Alvin Osterback, Chairman

Pouch V, State Capitol
Juneau, Alaska 99811
(907) 465-3715

HEARING NOTIFICATIONS

SS HB630 : Purchasing of fish without a permit / Fishermen's I.D. cards

LL	DATE INFORMED	LETTER/PHONE	INFORMED	HEARING DATE
SS HB 630	4/18	3738	Rep. Nels Andersen, sponsor	4/24
	4/21		Dept. of Public Safety (Requested new fiscal note)	
		6-3456	Commercial Fisheries Entry Commission	
		6-2820	United Fishermen of Alaska	
		6-6366	Pacific Seafood Processors - Rick Lauber	
		276-2181	Pacific Pearl - Royal Devaney	
		4100	Dept. of Fish & Game - Ken Parker	
		2300	Dept. of Revenue (Requested new fiscal note)	



Alaska State Legislature

House

HOUSE RESOURCES COMMITTEE

FISH & GAME ISSUES

Alvin Osterback, Chairman

Pouch V, State Capitol
Juneau, Alaska 99811
(907) 465-3715

HEARING NOTIFICATIONS

Re: Taking & Sale of Fish without a Permit; Fisherman's I.D. cards

BILL	DATE INFORMED	LETTER/PHONE	INFORMED	HEARING DATE
SS HB 630	3/21	4100	Dept. of Fish & Game	3/27
	3/21	3738	Rep. Herb Anderson	3/27
	3/21	4322	Dept. of Public Safety	3/27
	3/24	6-3456	Commercial Fisheries Entry Commission	3/27
	3/21	6-2820	United Fishermen of Alaska	3/27
	3/24	6-2820	Pacific Seafish Processors Assoc - Rick Lambert	3/27
	3/21	5700	Dept. of Labor	3/27

Rep. Anderson
Pulled bill off agenda



Alaska State Legislature

House

HOUSE RESOURCES COMMITTEE

FISH & GAME ISSUES

Alvin Osterback, Chairman

Fouch V, State Capitol
Juneau, Alaska 99811
(907) 465-3715

HEARING NOTIFICATIONS

TELECON.

BILL	DATE INFORMED	LETTER/PHONE	INFORMED	HEARING DATE
Teleconference on HB 665	2/27	465-4100	Fish & Game Dept. - Mary Jablonski	3/3
SS HB 630	2/27	586-3456	Commercial Fisheries Entry Commission Bob Simon, Commissioner John Williams, Commissioner	3/3
	2/25		Public Service Announcements to All teleconference sites: Anchorage, Barrow, Bethel, Dillingham, Fairbanks, Juneau, Kenai, Ketchikan, Kodiak, Kotzebue, Nome, Sitka	3/3
	2/28	586-2820	United Fishermen of Alaska	3/3
	2/29	586-3340	Pam Finley, Atty.	3/3
	2/29	586-3456	Requested fiscal note from Commercial Fisheries Entry Commission for HB665	3/3
	2/29	4322	Requested fiscal note on SS HB630 from Public Safety	3/3
	2/29	2900	Labor Dept.	3/3
	3/3	2300	Revenue Dept.	3/3

(9)

COMMITTEE REPORT

2/18/80

HOUSE

FURTHER:

Date: 1/9/80

Mr. Speaker:

The Committee on RESOURCES has had SSHB 630

"An Act relating to the taking and sale of fish without an entry permit or interim-use permit."

under consideration and (a majority of the committee) (the committee) reports it back with the following recommendations:

- do pass do not pass
- do pass with attached amendments(s)
- replace with CS for SSHB 630 same title
 new title
- and recommends _____
- AND attaches a "Letter of Intent" New Fiscal Note
- reports it back without recommendation
- referred to the _____ Committee

MEMBERS SIGNING
DO PASS

[Signature]

MEMBERS HAVING
OTHER RECOMMENDATIONS:

[Signature]

CHAIRMAN

CS SS HB 630

as reported out of
Resources Committee

(with relevant fiscal notes)
Revenue - Labor / Public Safety

THE LEGISLATURE OF THE STATE OF ALASKA
ELEVENTH LEGISLATURE

FISCAL NOTE

I. REQUEST CSSHB 630
 Bill/Resolution No. _____
 Title: Relating to limited entry and providing penalties for taking and sale of fish
without a permit or interior-use permit Date: 4/24/80

II. FISCAL DETAIL
 Agency Affected _____ Revenue _____
 Program Category Affected General Government
 BRU, Program, or Subprogram(s) Affected Administration and Support, Office of the Commissioner
 (Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)

EXPENDITURES (Thousands of Dollars)

	FY 80	FY 81	FY 82	FY 83	FY 84	FY 85
100 PERSONAL SERVICES		70.4	75.3	80.6	86.2	92.3
200 TRAVEL		2.5	2.7	2.9	3.1	3.3
300 CONTRACTUAL		48.0	51.4	55.0	58.8	62.9
400 COMMODITIES		.3	.5	.6	.6	.7
500 EQUIPMENT		1.2				
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL		122.6	129.9	139.1	148.7	159.2

FUNDING (Thousands of Dollars)

	FY 80	FY 81	FY 82	FY 83	FY 84	FY 85
GENERAL FUND		122.6	129.9	139.1	148.7	159.2
FEDERAL FUNDS						
OTHER (Specify Fund Source)						

POSITIONS

	2/24mm	2/24mm	2/24mm	2/24mm	2/24mm
FULL TIME					
PART TIME					
TEMPORARY					

III ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

Section 1 requires that the Commissioner of Revenue revoke or suspend certain fish processor and buyer licenses as governed by AS 44.62. A staff conferee and typing position will be required. Contractual hearing officer funds will be needed.

Positions - 1 PFT Hearing Officer, R 24 @ \$3,100 40.1
 Benefits - 6.0, FICA - 2.7, H.I. - 1.5 10.2
 1 PFT Clerk Typist III, R 10 @ \$1,277 15.1
 Benefits - 2.0, FICA - 1.0, H.I. - 1.5 4.5

70.4

(continued on to next page)

Crawford

IV. DATE: April 24, 1980 PREPARED BY:
 OFFICE: Legislative Finance AGENCY:
Budget and Management PHONE:
 FUND SPONSOR (List Legislator Name):

CSSHB 630 (continued)

Travel	=	2.5	
Contractual - Communications	=	2.0	
Hearing Officer - 15 Hearings @ 3.0 ea.	=	45.0	
Miscellaneous - Equipment Rental		<u>1.0</u>	
			48.0
Commodities		.5	
Equipment		1.2	

FISCAL NOTE

I. REQUEST

Bill/Resolution No. CS for Sponsor Substitute for House Bill No 670
 Title An Act relating to limited entry and providing penalties for taking & possessing by sale of fish without entry permit or inter-Division permit.
 Requested by: House Resources Committee Date: 4/23/80

II. FISCAL DETAIL

Agency Affected _____ Revenue _____
 Program Category Affected _____ Fiscal Services _____
 BRU, Program, or Subprogram(s) Affected _____ Audit Division _____

(Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)

EXPENDITURES (Thousands of Dollars)

	FY 80	FY 81	FY 82	FY 83	FY 84	FY 85
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL	-0-	-0-	-0-	-0-	-0-	-0-

FUNDING (Thousands of Dollars)

GENERAL FUND	-0-	-0-	-0-	-0-	-0-	-0-
FEDERAL FUNDS						
OTHER (Specify Fund Source)						


POSITIONS

None

FULL TIME						
PART TIME						
TEMPORARY						

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

IV. DATE April 23, 1980

PREPARED BY 
 AGENCY Department of Revenue, Audit Division
 PHONE 465-2320

Original Legislative Finance
 cc: Budget and Management
 Prime Sponsor (First Legislator Named)

THE LEGISLATURE OF THE STATE OF ALASKA
ELEVENTH LEGISLATURE

FISCAL NOTE

I. REQUEST

Bill/Resolution No. SSHB 630
 Title "An act relating to the taking & sale of fish w/o entry or interim-use permit"
 Requested by Representative Osterback Date 3/3/80

II. FISCAL DETAIL

Agency Affected Public Safety
 Program Category Affected NRMEC/Public Protection
 BRU, Program, or Subprogram(s) Affected _____
 (Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)

EXPENDITURES (Thousands of Dollars)

	FY 80	FY 81	FY 82	FY 83	FY 84	FY 85
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC						
TOTAL		0	0	0		

FUNDING (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER (Specify Fund Source)						

POSITIONS

FULL TIME						
PART TIME						
TEMPORARY						

III ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

No fiscal impact is projected. Applicants for a Fishermen's Identification Card (proposed AS 16.10.267) would need to use an existing field office of the Division of Motor Vehicles.

No additional cost is projected for the Division of Fish and Wildlife Protection for enforcement. (Similar comment was made on SB 391).

IV. DATE 3/3/80 PREPARED BY Michael Clemons

AGENCY Public Safety

Original Legislative Finance PHONE 465-4122

cc: Budget and Management

Home Sponsor (First Legislator Named)

FISCAL NOTE

I. REQUEST

Bill/Resolution No. CS for Sponsor Substitute for House Bill 630
 Title An Act relating to limited entry and providing penalties...etc.
 Requested by House Resources Date 4/24/80

II. FISCAL DETAIL

Agency Affected Labor
 Program Category Affected Worker Protection
 BRU, Program, or Subprogram(s) Affected Wage and Hour Administration
 (Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)

EXPENDITURES (Thousands of Dollars)

	FY 80	FY 81	FY 82	FY 83	FY 84	FY 85
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
370 COMMODITIES						
510 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL	-0-	-0-	-0-	-0-	-0-	-0-

FUNDING (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER (Specify Fund Source)						

POSITIONS

FULL TIME	-0-	-0-	-0-	-0-	-0-	-0-
PART TIME						
TEMPORARY						

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

Committee Substitute does not impact this department.

IV. DATE April 24, 1980 PREPARED BY Jim Souby
 AGENCY Labor
 PHONE 465-2720
 Original Legislative Finance
 cc. Budget and Management
 Prime Sponsor (First Legislator Named)

THE LEGISLATURE OF THE STATE OF ALASKA
ELEVENTH LEGISLATURE

FISCAL NOTE

I. REQUEST CSSHB 630
 Bill/Resolution No. _____
 Title: Relating to limited entry and providing penalties for taking and sale of fish
without a permit or interim-use permit Date 4/24/80

II. FISCAL DETAIL.
 Agency Affected Revenue
 Program Category Affected General Government
 BRU, Program, or Subprogram(s) Affected Administration and Support, Office of the Commissioner
 (Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)

EXPENDITURES (Thousands of Dollars)

	FY 80	FY 81	FY 82	FY 83	FY 84	FY 85
100 PERSONAL SERVICES		70.4	75.3	80.6	86.2	92.3
200 TRAVEL		2.5	2.7	2.9	3.1	3.3
300 CONTRACTUAL		48.0	51.4	55.0	58.8	62.9
400 COMMODITIES		.3	.3	.6	.6	.7
500 EQUIPMENT		1.2				
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL		122.6	129.9	139.1	148.7	159.2

FUNDING (Thousands of Dollars)

	FY 80	FY 81	FY 82	FY 83	FY 84	FY 85
GENERAL FUND		122.6	129.9	139.1	148.7	159.2
FEDERAL FUNDS						
OTHER (Specify Fund Source)						

POSITIONS

	2/24ann	2/24ann	2/24ann	2/24ann	2/24ann
FULL TIME					
PART TIME					
TEMPORARY					

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

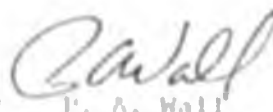
Section 1 requires that the Commissioner of Revenue revoke or suspend certain fish processor and buyer licenses as governed by AS 44.02. A staff conference and typing position will be required. Contractual hearing officer funds will be needed.

Positions - 1 PFT Hearing Officer, R 24 0 \$1,119 = 40.1
 Benefits - 6.9, FICA - 2.7, H.I. - 1.5 = 10.2

1 PFT Clerk Typist III, R 0 0 \$1,277 = 15.1
 Benefits - 2.3, FICA - 1.0, H.I. - 1.5 = 4.8

70.4

(continued on next page)



IV. DATE April 24, 1980 PREPARED BY P. A. Wall
 AGENCY Revenue
 PHONE 465-2111

Original - Legislative Finance
 cc: Budget and Management
 Prime Sponsor (List Legislator Name)

CSSHB 630 (continued)

Travel	=	2.5	
Contractual - Communications	=	2.0	
Hearing Officer - 15 Hearings @ 3.0 ea.	=	5.0	
Miscellaneous - Equipment Rental		<u>1.0</u>	
			48.0
Commodities		.5	
Equipment		1.2	

THE LEGISLATURE OF THE STATE OF ALASKA
ELEVENTH LEGISLATURE

FISCAL NOTE

I. REQUEST

Bill/Resolution No. CS for Sponsor Substitute for House Bill No. 630
 Title An Act relating to limited entry and providing penalties for taking & ~~exporting~~ (sale of fish without entry permit or inter-house permit.
 Requested by: House Resources Committee Date: 4/23/80

II. FISCAL DETAIL

Agency Affected _____ Revenue _____
 Program Category Affected _____ Fiscal Services _____
 BRU, Program, or Subprogram(s) Affected _____ Audit Division _____
 (Note: If more than one budget component is affected, separate line item amounts and funding for each component in the analysis section.)

EXPENDITURES (Thousands of Dollars)

	FY 80	FY 81	FY 82	FY 83	FY 84	FY 85
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL	-0-	-0-	-0-	-0-	-0-	-0-

FUNDING (Thousands of Dollars)

GENERAL FUND	-0-	-0-	-0-	-0-	-0-	-0-
FEDERAL FUNDS						
OTHER (Specify Fund Source)						

POSITIONS

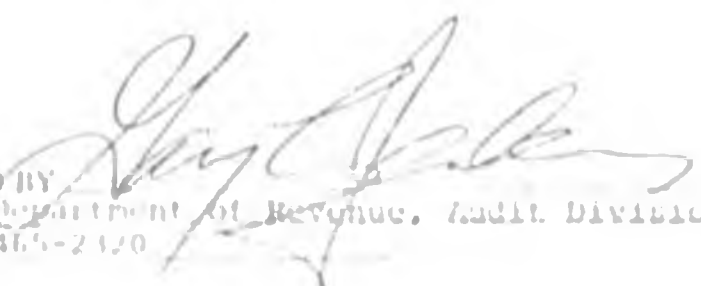
None

FULL TIME						
PART TIME						
TEMPORARY						

III ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

IV. DATE April 23, 1980

Original Legislative Finance
 cc. Budget and Management
 Prime Sponsor (First Legislator Named)

PREPARED BY 
 AGENCY Department of Revenue, Audit Division
 PHONE 465-2120

THE LEGISLATURE OF THE STATE OF ALASKA
ELEVENTH LEGISLATURE

FISCAL NOTE

I. REQUEST

Bill/Resolution No. SSM 630
Title "An act relating to the taking & sale of fish w/o entry or interim-use permit"
Requested by Representative Osterback Date 3/3/80

II. FISCAL DETAIL

Agency Affected Public Safety
Program Category Affected NRMC/Public Protection
BRU, Program, or Subprogram(s) Affected _____

(Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)

EXPENDITURES (Thousands of Dollars)

	FY 80	FY 81	FY 82	FY 83	FY 84	FY 85
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL		0	0	0		

FUNDING (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER (Specify Fund Source)						

POSITIONS

FULL TIME						
PART TIME						
TEMPORARY						

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

No (1985) impact is projected. Applicants for a Fisherman's Identification Card (proposed At 16.10.267) would need to use an existing field office of the Division of Motor Vehicles.

No additional cost is projected for the Division of Fish and Wildlife Protection for enforcement. (Similar current was made on 20 191).

IV. DATE 1/3/80 PREPARED BY Michael Clemons
AGENCY Public Safety
PHONE 465-4112
Original Legislative Finance
cc Budget and Management
Prime Sponsor (First Legislator Named)

THE LEGISLATURE OF THE STATE OF ALASKA
ELEVENTH LEGISLATURE

FISCAL NOTE

I. REQUEST

Bill/Resolution No. CS for Sponsor Substitute for House Bill 630
 Title An Act relating to limited entry and providing penalties...etc.
 Requested by House Resources Date 4/24/80

II. FISCAL DETAIL

Agency Affected Labor
 Program Category Affected Worker Protection
 BRU, Program, or Subprogram(s) Affected Wage and Hour Administration

(Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)

EXPENDITURES (Thousands of Dollars)

	FY 80	FY 81	FY 82	FY 83	FY 84	FY 85
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL	-0-	-0-	-0-	-0-	-0-	-0-

FUNDING (Thousands of Dollars)

	FY 80	FY 81	FY 82	FY 83	FY 84	FY 85
GENERAL FUND						
FEDERAL FUNDS						
OTHER (Specify Fund Source)						

POSITIONS

	FY 80	FY 81	FY 82	FY 83	FY 84	FY 85
FULL TIME	-0-	-0-	-0-	-0-	-0-	-0-
PART TIME						
TEMPORARY						

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

Committee Substitute does not impact this department.

IV. DATE April 24, 1980 PREPARED BY Jim Seaby
 AGENCY Labor
 PHONE 465-2730
 Original Legislative Finance
 cc Budget and Management
 Prime Sponsor (First Legislator Named)

THE LEGISLATURE OF THE STATE OF ALASKA
ELEVENTH LEGISLATURE

FISCAL NOTE

I. REQUEST

Bill/Resolution No. SSIB 630
 Title "An act relating to the taking & sale of fish w/o entry of interim-time permit"
 Requested by Representative Osterback Date 3/3/80

II. FISCAL DETAIL

Agency Affected Public Safety
 Program Category Affected NRMC/Public Protection
 BRU, Program, or Subprogram(s) Affected _____
 (Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)
EXPENDITURES (Thousands of Dollars)

	FY 80	FY 81	FY 82	FY 83	FY 84	FY 85
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL		0	0	0		

FUNDING (Thousands of Dollars)

GENERAL FUND	FY 80	FY 81	FY 82	FY 83	FY 84	FY 85
FEDERAL FUNDS						
OTHER (Specify Fund Source)						

POSITIONS

FULL TIME	FY 80	FY 81	FY 82	FY 83	FY 84	FY 85
PART TIME						
TEMPORARY						

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

No fiscal impact is projected. Applicants for a Fisherman's Identification Card (proposed AS 16.19.267) would need to use an existing field office of the Division of Motor Vehicles.

No additional cost is projected for the Division of Fish and Wildlife Protection for enforcement. (Similar comment was made on SB 391).

IV. DATE 3/3/80 PREPARED BY Michael Clemens
 AGENCY Public Safety
 PHONE 465-4127
 Original Legislative Finance
 cc Budget and Management
 Prime Sponsor (First Legislator Named)

TELEGRAM

ALASCOM, INC.
PHONE: 586-6442
ANCHORAGE, AK 99502

SSH630

JUN 25 11 1 44



02553 NL ANCHORAGE ALASKA 179 24-22 4 15P AST
PMS REP ALVIN OSTERBACK
CO-CHAIRMAN OF HOUSE RESOURCES COMMITTEE
JUN

RE SSH630 SEC. 2. AS16.10.294(C) IS AMENDED TO READ

(C) IF A LICENSED FISH PROCESSOR OR PRIMARY FISH BUYER FAILS TO FULFILL HIS OBLIGATION AS SET OUT IN AS16.10294 OR PURCHASES RAW FISH IN VIOLATION OF AS16.10.265, HIS LICENSE SHALL BE SUSPENDED FOR A PERIOD OF TIME THE COMMISSIONER DETERMINES IS APPROPRIATE. AFTER THREE SUSPENSIONS HIS LICENSE MAY BE PERMANENTLY REVOKED.

PACIFIC PEARL SEAFOODS STRONGLY OBJECTS TO THIS AMENDMENT TO SSH630. WE FEEL THAT THE RESPONSIBILITY FOR POLICING THE FISHERMEN SHOULD NOT FALL ON THE PROCESSOR. THIS IS A JOB FOR THE DEPARTMENT OF PUBLIC SAFETY, IT IS WHAT THEY ARE GETTING PAID FOR. OUR EMPLOYEES WORKING THE FISH TENDERS ARE ONLY PART TIME AND ARE NOT HIRED TO TAKE THE RESPONSIBILITY OF HAVING OUR LICENSE SUSPENDED OR REVOKED.

THE LIABILITY TO US AS PROCESSORS IN THIS SITUATION IS FAR TOO GREAT AND CANNOT BE JUSTIFIED. WE CANNOT LIVE WITH IT OR OPERATE UNDER THOSE CONDITIONS. WE STRONGLY URGE--DEMAND--THAT THIS AMENDMENT BE DELETED FROM SSH630.

ROYAL J. DEVANEY ALASKA SERVICES MANAGER PACIFIC PEARL SEAFOODS

**THE LEGISLATURE OF THE STATE OF ALASKA
ELEVENTH LEGISLATURE**

FISCAL NOTE

I. REQUEST

Bill/Resolution No. Sponsor Substitute for House Bill 630
 Title An Act re the taking and sale of fish without an entry permit
 Requested by A Date 2/25/80

II. FISCAL DETAIL

Agency Affected Labor
 Program Category Affected Worker Protection
 BRU Program, or Subprogram(s) Affected Wage and Hour, Administration
 (Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)

EXPENDITURES (Thousands of Dollars)

	FY 80	FY 81	FY 82	FY 83	FY 84	FY 85
100 PERSONAL SERVICES	0	77.3	77.3	77.3	77.3	77.3
200 TRAVEL	0	8.5	9.1	9.7	10.4	11.1
300 CONTRACTUAL	0	17.2	18.4	19.6	21.0	22.5
400 COMMODITIES	0	0	0	1.0	1.0	1.1
500 EQUIPMENT	0	3.3	0	0	0	0
600 LAND & STRUCTURES	0	0	0	0	0	0
700 GRANTS, CLAIMS, ETC.	0	0	0	0	0	0
TOTAL	0	107.1	105.7	107.6	109.7	112.0

FUNDING (Thousands of Dollars)

GENERAL FUND	0	107.1	105.7	107.6	109.7	112.0
FEDERAL FUNDS						
OTHER (Specify Fund Source)						

POSITIONS

FULL TIME	0	3	3	3	3	3
PART TIME	0	0	0	0	0	0
TEMPORARY	0	0	0	0	0	0

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

- Request effective date July 1, 1980.
- Salary schedule: 11,500 - 16,000 (100% for 1980)
- Temporary positions: none

IV. DATE _____ **PREPARED BY** _____

Checked by _____
 Date _____

Checked by _____
 Date _____

Checked by _____
 Date _____

Wage & Hour Investigator I			TITLE	16 A	PARA UNIT	GGU	LOCATION	Juneau	AGENCY	GGU	APPROV	DDAPP						
DET	STATE	MEANS	PRIORITY	1	112	PAGE LINE												
<table border="1"> <tr> <td>2,132 P/P</td> <td>25,584</td> </tr> <tr> <td>.1542</td> <td>3,945</td> </tr> <tr> <td>.06</td> <td>1,701</td> </tr> <tr> <td>127 x 12</td> <td>1,524</td> </tr> </table>			2,132 P/P	25,584	.1542	3,945	.06	1,701	127 x 12	1,524				<p>Pers. Service: Salary schedule effective 3/16/80. Travel: Extensive travel to all areas in the state. Contractual Services: Cost per position for proposed FY '81 Budget plus amendment. (99.0 ÷ 19), plus chartering cost to remote areas. Commodities: Cost per position for FY '81 Budget (5.2 ÷ 19). Equipment: Desk, chair, dictating equipment, etc.</p> <p><u>Justification for position:</u> This position is needed to promulgate regulations to implement that act. To investigate violations and to hold hearings on suspension, and revocations. This investigator will be required to hold hearings in locations where possible violations may reside, to interview witnesses, and to gather evidence.</p>				
2,132 P/P	25,584																	
.1542	3,945																	
.06	1,701																	
127 x 12	1,524																	
FOR B&M USE ONLY																		

13 REQUEST FOR NEW POSITION

Protection
 Wage & Hour
 Wage & Hour Admin.

FY 81

REVISOR

SSHB 630

BILL ANALYSIS

ASSIGNMENT DATE _____

UNASSIGNED _____

DEPARTMENT	SPONSOR (PRINCIPAL)	BILL NO.
Public Safety	Representative Nels Anderson	SSHB630

DEPARTMENT POSITION
Support with amendment

DIVISION DIRECTOR	DATE	COMMISSIONER	DATE
Colonel Fred Woldstad, FWP Robert J. Rowan, DMV	3-17-80	William R. Nix	3-17-80

GOVERNOR'S OFFICE USE

POSITION NOTED POSITION APPROVED POSITION DISAPPROVED

BY: _____ DATE: _____

SUMMARY

(1) RELATED BILLS (SIMILAR OR CONFLICTING)
(2) OTHER AGENCIES AFFECTED BY BILL

(2) a. ORGANIZATIONAL SUPPORT FOR BILL		(2) b. ORGANIZATIONAL OPPOSITION TO BILL
--	--	--

(3) PROGRAM EFFECTS OF BILL

Would be no fiscal impact as long as applicant are required to use existing field offices of the Division of Motor Vehicles.

(4) FISCAL IMPACT NONE FISCAL ANALYSIS ATTACHED

(5) AMENDMENTS PROPOSED

#1: Page 2, line 1, change AS28.15.080 to 28.15.111 (080 no longer exists)
#2: Change 16.10.26" (c) from "class B misdemeanor" to "Class A Misdemeanor" in accordance with AS 11.56.210.

(6) COMMENTS

The bill does solve a major problem being now detected in the various fisheries throughout the state, that being the lease or loan of entry permits.

Personal identification is important to the integrity of the permits and this bill does support the picture ID, and the inspection by peace officer. Do not see any reason for another type of identification card, being as bill permits two forms of photographic ID presently in use, those being the drivers license, and/or personal identification card. The personal identification card presently has room to include the entry permit number if so desired.

THE LEGISLATURE OF THE STATE OF ALASKA
ELEVENTH LEGISLATURE

FISCAL NOTE

I. REQUEST

Bill/Resolution No. Sponsor Substitute for House Bill 630

Title An Act relating to the taking and sale of fish without an entry permit.

Requested by Anderson

Date 2/25/80

II. FISCAL DETAIL

Agency Affected Labor

Program Category Affected Worker Protection

BRU, Program, or Subprogram(s) Affected Wage and Hour, Administration

(Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)

EXPENDITURES (Thousands of Dollars)

	FY 80	FY 81	FY 82	FY 83	FY 84	FY 85
100 PERSONAL SERVICES	0	77.3	77.3	77.3	77.3	77.3
200 TRAVEL	0	8.5	9.1	9.7	10.4	11.1
300 CONTRACTUAL	0	17.2	18.4	19.6	21.0	22.5
400 COMMODITIES	0	.8	.9	1.0	1.0	1.1
500 EQUIPMENT	0	3.3	0	0	0	0
600 LAND & STRUCTURES	0	0	0	0	0	0
700 GRANTS, CLAIMS, ETC.	0	0	0	0	0	0
TOTAL	0	107.1	105.7	107.6	109.7	112.0

FUNDING (Thousands of Dollars)

	FY 80	FY 81	FY 82	FY 83	FY 84	FY 85
GENERAL FUND	0	107.1	105.7	107.6	109.7	112.0
FEDERAL FUNDS						
OTHER (Specify Fund Source)						

POSITIONS

	FY 80	FY 81	FY 82	FY 83	FY 84	FY 85
FULL TIME	0	3	3	3	3	3
PART TIME	0	0	0	0	0	0
TEMPORARY	0	0	0	0	0	0

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

- a. Assume effective date July 1, 1980.
- b. Salary schedule effective 3/15/80. No increase for inflation.
- c. Non-personal services expenditures (200-400) increase at 7% inflation rate.

IV. DATE February 25, 1980

PREPARED BY James Seaby

AGENCY Labor

Original: Legislative Finance

PHONE 465-2720

cc Budget and Management

Prime Sponsor (First Legislator Named)

1	POSITION TITLE Wage & Hour Investigator I			RANGE/STEP 16 A	BAHQ. UNIT. GGU	LOCATION JUNEAU	APPROV. GDV	DISAPP
2	TYPE OF POSITION PFT	STAFF MONTHS 12	HP No.	PCN No.	PRIORITY 1	FORM 12 PAGE/LINE	LE's.	

3		TYPE OF EXPENDITURE		AMOUNT
1	2	3	4	5
4	PERSONAL SERVICES-			
	SALARY	2,132 P/M	25,584	
5	BENEFITS	,1542	3,945	
6	FICA	,0665	1,701	
7	HEALTH INS	127 x 12	1,524	
8	TOTAL PERSONAL SERVICES		32,754	
9	TRAVEL		7,500	
10	CONTRACTUAL		6,750	
11	COMMODITIES		280	
12	EQUIPMENT		1,250	
13	OTHER			
14	TOTAL COST		48,534	

JUSTIFICATION:

Pers. Service: Salary schedule effective 3/16/80.
 Travel: Extensive travel to all areas in the state.
 Contractual Services: Cost per position for proposed FY '81 Budget plus amendment. (99.0 ÷ 19), plus chartering cost to remote areas.
 Commodities: Cost per position for FY '81 Budget (5.2 ÷ 19).
 Equipment: Desk, Chair, dictating equipment, etc.

Justification for position: This position is needed to promulgate regulations to implement that act. To investigate violations and to hold hearings on suspensions and revocations. This investigator will be required to hold hearings in locations where possible violations may reside, to interview witnesses, and to gather evidence.

15	CODE	FUNDING SOURCE	AMOUNT
15		FED RCPTS	
16		GR MATCH	
17		GEN FUND	48,534
18		F A RCPTS	
19		FGM RCPTS	
20		OTHER	

21	CONTINUATION		
22	ADDITION	XXXX	FOR B&M USE ONLY

4A NEW NUMBER _____ COLUMN NO. _____

AGENCY Labor PROGRAM AREA Worker Protection

BRU Wage & Hour

COMPONENT Wage & Hour Adm'n.

13 REQUEST FOR NEW POSITION

Page 1 of 3

REVISI DATE

FY 81

1	POSITION TITLE Wage & Hour Technician I			RANGE/STEP 12	HAIRG. UNIT. GGU	LOCATION Juneau	GOV.	APPROV.	DISAPP
2	TYPE OF POSITION PFT	STAFF MONTHS 12	RP No.	PCN No.	PRIORITY 1	FORM 12 PAGE/LINE	LEG		

TYPE OF EXPENDITURE		AMOUNT
1	2	3
PERSONAL SERVICES:		
4	SALARY 1,628 P/H	19,536
5	BENEFITS .1542	3,012
6	FICA .0665	1,299
7	HEALTH INS 127 x 12	1,524
9	TOTAL PERSONAL SERVICES	25,371
8	TRAVEL	1,000
10	CONTRACTUAL	5,200
11	COMMODITIES	280
12	EQUIPMENT	1,000
13	OTHER	
14	TOTAL COST	32,851

JUSTIFICATION:

Pers. Svcs.: Salary schedule effective 3/16/80.
 Travel: Estimate of 2 - 3 trips between Anchorage and Juneau travel and per diem.
 Contractual: Cost per position for proposed FY '81 budget and amendment (99.0 ÷ 19).
 Commodities: Cost per position for FY '81 Budget (5.2 ÷ 19).
 Equipment: Desk, chair, etc. (one time cost).

Justification for position: The position is needed to assist the Investigator I in the preparation of regulations. To correspond with fish buyers, fish processors, and fishermen regarding compliance with the law, to audit records, and to assist with hearings.

This position will also need to be outfitted with a desk and other office equipment.

CODE	FUNDING SOURCE	
15	FEDERALS	
16	STATE	
17	GEN FUND	32,851
18	LA DEPTS.	
19	PAID DEPTS.	
20	OTHER	

21	CONTINUATION		
22	ADDITION	XXXX	FOR B&M USE ONLY

4A KEY NUMBER _____ COLUMN NO. _____

AGENCY **Labore** PROGRAM AREA **Worker Protection**
Wage & Hour
 DRU **Wage & Hour Admin.**
 COMPONENT

13 REQUEST FOR NEW POSITION

FY 81

1	POSITION TITLE Clerk Typist II				RANGE/STEP 7	RANG UNIT GGU	LOCATION Juneau	GOV	APPROV.	DISAPP
2	TYPE OF POSITION PFT	STAFF MONTHS 12	HP No.	PCN No.	PRIORITY 1	FORM 12 - PAGE/LINE		LEG		

3	TYPE OF EXPENDITURE		AMOUNT
	1	2	3
4	PERSONAL SERVICES- SALARY	1,207 P/M	14,484
5	BENEFITS	.1542	2,233
6	FICA	.0665	963
7	TRAVEL	127 x 12	1,524
8	TOTAL PERSONAL SERVICES		19,204
9	TRAVEL		-
10	CONTRACTUAL		5,200
11	COMMODITIES		280
12	EQUIPMENT		1,000
13	OTHER		
14	TOTAL OTH.		25,684

JUSTIFICATION:

Pers. Svcs: Salary schedule effective 3/16/80.
 Contractual Services: Cos per position in this BRU (99.0 ÷ 19).
 Commodities: Cost per position for FY '81 budget (5.2 ÷ 19).
 Equipment: Desk, chair, etc.

Justification for Position: This position will need all the necessary tools of the trade.

This position is required to do the necessary typing, filing, and general clerical backup for the other two positions.

	CODE	FUNDING SOURCE	
15		FED REPTS	
16		GR MATCH	
17		GEN FUND	25,684
18		F & H PIS	
19		REP REPTS	
20		OTHER	

21 CONTINUATION
 22 ADDITION XXXX FOR B&M USE ONLY

4A KEY NUMBER _____ COLUMN NO. _____

AGENCY Labor PROGRAM AREA Worker Protection

BRU Wage & Hour

COMPONENT Wage & Hour Admin.

13 REQUEST FOR NEW POSITION

FY 81

Page 3 of 3 REVISION DATE

STATE OF ALASKA

DEPARTMENT OF REVENUE

OFFICE OF THE COMMISSIONER

JAY S. HAMMOND, GOVERNOR

POUCH 5
JUNEAU, ALASKA 99811

April 24, 1980

The Honorable Alvin Osterback
Co-Chairman
House Resources Committee
Room 118 - Capitol Building
Juneau, Alaska 99811

Dear Mr. Osterback:

Re: CS for Sponsor Substitute for House Bill No. 630

The Department of Revenue was furnished a draft copy of CS for Sponsor Substitute for House Bill No. 630, an Act relating to limited entry and providing penalties for the taking and sale of fish without an entry permit or interim-use permit, with a request for a Fiscal Note on that portion of the bill concerning the Department of Revenue.

For the consideration of the House Resources Committee, I am enclosing copies of Fiscal Notes prepared by Gary Jenkins, Director, Audit Division, and P. A. Wall, Director, Administrative Services Division of the Department of Revenue concerning the proposed legislation.

Sincerely,



R. D. STEVENSON
Special Assistant

cc: The Honorable Bill Miles
Co-Chairman
House Resource Committee

Joseph K. Donohue
Deputy Commissioner
Department of Revenue

Gary Jenkins, Director
Audit Division
Department of Revenue

P. A. Wall, Director
Administrative Services Division
Department of Revenue

STATE OF ALASKA

DEPARTMENT OF REVENUE

OFFICE OF THE COMMISSIONER

JAY S. HAMMOND, GOVERNOR

POUCH 5
JUNEAU, ALASKA 99811

April 24, 1980

The Honorable Alvin Osterback
Co-Chairman
House Resources Committee
Room 118 - Capitol Building
Juneau, Alaska 99811

Dear Mr. Osterback:

Re: CS for Sponsor Substitute for House Bill No. 630

The Department of Revenue was furnished a draft copy of CS for Sponsor Substitute for House Bill No. 630, an Act relating to limited entry and providing penalties for the taking and sale of fish without an entry permit or Inter-Use permit, with a request for a Fiscal Note on that portion of the bill concerning the Department of Revenue.

For the consideration of the House Resources Committee, I am enclosing copies of Fiscal Notes prepared by Gary Jenkins, Director, Audit Division, and P. A. Wall, Director, Administrative Services Division of the Department of Revenue concerning the proposed legislation.

Sincerely,

R. D. Stevenson
Special Assistant

cc: The Honorable Bill Miles
Co-Chairman
House Resource Committee

P. A. Wall, Director
Administrative Services Division
Department of Revenue

Joseph K. Donohue
Deputy Commissioner
Department of Revenue

Gary Jenkins, Director
Audit Division
Department of Revenue

THE LEGISLATURE OF THE STATE OF ALASKA
ELEVENTH LEGISLATURE

FISCAL NOTE

I. REQUEST

Bill/Resolution No. CS for Sponsor Substitute for House Bill No. 630
 Title An Act relating to limited entry and providing penalties for taking & possession by (sale of fish without entry permit or inter-house permit.

Requested by: House Resources Committee

Date: 4/23/80

II. FISCAL DETAIL

Agency Affected _____ Revenue _____
 Program Category Affected _____ Fiscal Services _____
 BRU, Program, or Subprogram(s) Affected _____ Audit Division _____

(Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)

EXPENDITURES (Thousands of Dollars)

	FY 80	FY 81	FY 82	FY 83	FY 84	FY 85
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL	-0-	-0-	-0-	-0-	-0-	-0-

FUNDING (Thousands of Dollars)

	FY 80	FY 81	FY 82	FY 83	FY 84	FY 85
GENERAL FUND	-0-	-0-	-0-	-0-	-0-	-0-
FEDERAL FUNDS						
OTHER (Specify Fund Source)						

POSITIONS

None

FULL TIME						
PART TIME						
TEMPORARY						

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

IV. DATE April 24, 1980

PREPARED BY [Signature]
 AGENCY Department of Revenue, Audit Division
 PHONE 465-2320

Original: Legislative Finance
 cc: Budget and Management
 Prime Sponsor (First Legislator Named)

THE LEGISLATURE OF THE STATE OF ALASKA
ELEVENTH LEGISLATURE

FISCAL NOTE

I. REQUEST CSSHB 630
 Bill/Resolution No. _____
 Title Relating to limited entry and providing penalties for taking and sale of fish
without a permit or interim-use permit Date 4/24/80

II. FISCAL DETAIL
 Agency Affected _____ Revenue _____
 Program Category Affected General Government
 BRU, Program, or Subprogram(s) Affected Administration and Support, Office of the Commissioner
 (Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)
EXPENDITURES (Thousands of Dollars)

	FY 80	FY 81	FY 82	FY 83	FY 84	FY 85
100 PERSONAL SERVICES		70.4	75.3	80.6	86.2	92.3
200 TRAVEL		2.5	2.7	2.9	3.1	3.3
300 CONTRACTUAL		48.0	51.4	55.0	58.8	62.9
400 COMMODITIES		.5	.5	.6	.6	.7
500 EQUIPMENT		1.2				
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL		122.6	129.9	139.1	148.7	159.2

FUNDING (Thousands of Dollars)

	FY 80	FY 81	FY 82	FY 83	FY 84	FY 85
GENERAL FUND		122.6	129.9	139.1	148.7	159.2
FEDERAL FUNDS						
OTHER (Specify Fund Source)						

POSITIONS

	2/23mm	2/24mm	2/24mm	2/24mm	2/24mm
FULL TIME					
PART TIME					
TEMPORARY					

III. ANALYSIS (See Fiscal Rate Preparation Instructions, Section III)

Section I requires that the Commissioner of Revenue revoke or suspend certain fish processor and buyer licenses as governed by AS 44.02. A staff conference and typing position will be required. Contractual hearing officer funds will be needed.

Positions - 1 PFT Hearing Officer, R 24 @ \$1,000 40.1
 Benefits - 6.0, FICA - 2.7, O.I. - 1.5 10.2
 1 PFT Clerk Typist III, R 0 @ \$1,000 15.3
 Benefits - 2.3, FICA - 1.0, O.I. - 1.5 4.8

70.4

(continued on next page)

C. A. Wolf

IV. DATE April 24, 1980 PREPARED BY C. A. Wolf
 AGENCY Revenue
 Original - Legislative Finance PHONE 465-2001
 cc - Budget and Management
 Filing Sponsor (First Legislator Named)

CSSHB 630 (continued)

Travel	=	2.5	
Contractual - Communications	=	2.0	
Hearing Officer - 15 Hearings @ 3.0 ea.	=	45.0	
Miscellaneous - Equipment Rental		<u>1.0</u>	
			48.0
Commodities		.5	
Equipment		1.2	

Original sponsor: Anderson

Need fiscal note before
House Resources Mtg.
Thurs. April 24 3pm

IN THE HOUSE

BY THE RESOURCES COMMITTEE

CS FOR SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 630

IN THE LEGISLATURE OF THE STATE OF ALASKA

ELEVENTH LEGISLATURE - SECOND SESSION

A BILL

For an Act entitled: "An Act relating to limited entry and providing penalties for the taking and sale of fish without an entry permit or interim-use permit."

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

* Section 1. AS 16.10 is amended by adding new sections to read:

Sec. 16.10.265. PURCHASE OF FISH FROM PERMIT HOLDERS. (a) A licensed fish processor or primary fish buyer may purchase raw fish only from a seller who holds an entry permit or an interim-use permit issued or transferred to the seller in accordance with AS 16.43.

(b) When a fisherman sells fish to a fish processor or primary fish buyer, the fisherman shall have in his possession an entry permit or interim-use permit issued or transferred to him under AS 16.43 and

(1) a picture identification card; or

(2) if the entry permit or interim-use permit was transferred to the fisherman under AS 16.43.180, an emergency transfer slip completed in accordance with AS 16.43.180 and with regulations of the Alaska Commercial Fisheries Entry Commission adopted under AS 16.43.180.

(c) If requested by a fish processor or primary fish buyer or by a peace officer, the fisherman shall present the picture identification card or emergency transfer slip required to be in his possession under (b) of this section for inspection.

(d) If a licensed fish processor or primary fish buyer purchases raw fish in violation of this section, the commissioner of revenue shall suspend his license for a period of time the commissioner of revenue

determines is appropriate. After three suspensions his license may be permanently revoked by the commissioner of revenue. Proceedings to suspend or revoke a license under this subsection are governed by the Administrative Procedure Act (AS 44.62).

(e) In (b)(1) of this section "picture identification card" means an identification card issued by a local, state, or federal agency which bears a photograph of the person to whom the card is issued. A "picture identification card" may include, but is not limited to, a motor vehicle operator's license issued under AS 28.15.080, an identification card issued under AS 18.65.310, or a fishermen's identification card issued under AS 16.10.267.

Sec. 16.10.267. FISHERMEN'S IDENTIFICATION CARDS. (a) Upon payment of a \$5 fee, the Department of Public Safety shall issue a fishermen's identification card to a person who requests one. The fishermen's identification card shall be identical to an identification card issued under AS 18.65.310 except that the fishermen's identification card may include the number of an entry permit possessed by the person identified on the card.

(b) A person may obtain a fishermen's identification card by applying to the Department of Public Safety on forms and in the manner prescribed by the Department of Public Safety.

(c) A person who knowingly makes a fraudulent written statement or application for a fishermen's identification card concerning age, race, sex, entry permit number or other identifying characteristics, is guilty of a class B misdemeanor.

(d) It is a class B misdemeanor for a person to possess, use, produce or manufacture a fraudulent fishermen's identification card.

(e) It is a class B misdemeanor for a person to allow a fishermen's identification card issued to him to be used by another person.

* Sec. 2. AS 16.10.296 is amended to read:

Sec. 16.10.296. DEFINITIONS. In AS 16.10.265 - 16.10.296 [AS 16.-10.270 - 16.10.296], unless the context otherwise requires,

(1) "commissioner" means the commissioner of labor;

(2) "fish" means any species of aquatic fin fish, invertebrates and amphibians, shellfish, or any other raw fishery resource, in any stage of its life cycle, found in or introduced into the state;

(3) "fish processor" means a person engaging or attempting to engage in a business for which a license is required under AS 43.75.-010 - 43.75.090;

(4) "primary fish buyer" means a person, other than a cooperative corporation organized under AS 10.15, engaging or attempting to engage in the business of originally purchasing or buying any raw fishery resource in intrastate, interstate, or foreign commerce.

* Sec. 5. AS 16.43.360(a) is amended to read:

(a) A person who violates or assists in the violation of a provision of this chapter or a regulation promulgated under this chapter is, upon conviction, guilty of a misdemeanor and is punishable by a fine of not more than \$5,000 for a first conviction, and a fine of not more than \$10,000 for a second or third conviction. Upon a third conviction, the person shall forfeit all interim-use and entry permits held by him and loses eligibility for future issuance or transfer of interim-use or entry permits for a period of three years. Upon a first or second conviction under this section, the court may in its discretion order a forfeiture of interim-use or entry permits held by him as well as a loss of eligibility for future issuance or transfer of interim-use or entry permits or order a suspension of fishing rights under interim-use or entry permits held or to be held by him for a period of not more than three years. This subsection does not apply to violations of AS 16.43.

140(a).

* Sec. 4. AS 16.43.360 is amended by adding a new subsection to read:

(f) A person who violates the provisions of AS 16.43.140(a), upon conviction, shall forfeit the value of the fish caught by the person in the course of the violation. In addition, the person is subject to the following penalties:

(1) a fine of not less than \$1,000 or more than \$5,000 upon the first conviction;

(2) a fine of not less than \$5,000 or more than \$10,000 and loss of all fishing privileges in the state, including subsistence, sport and commercial fishing privileges, for two years after the date of conviction upon the second conviction;

(3) forfeiture of the vessel and gear used in the violation and imprisonment for a period of not less than three months or more than one year upon each conviction after the second.

Original sponsor: Anderson

Need fiscal note before
House Resources Mtg.
Thurs. April 24 3pm

IN THE HOUSE

BY THE RESOURCES COMMITTEE

CS FOR SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 630

IN THE LEGISLATURE OF THE STATE OF ALASKA

ELEVENTH LEGISLATURE - SECOND SESSION

A BILL

For an Act entitled: "An Act relating to limited entry and providing penalties for the taking and sale of fish without an entry permit or interim-use permit."

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

* Section 1. AS 16.10 is amended by adding new sections to read:

Sec 6.10.265. PURCHASE OF FISH FROM PERMIT HOLDERS. (a) A licensed fish processor or primary fish buyer may purchase raw fish only from a seller who holds an entry permit or an interim-use permit issued or transferred to the seller in accordance with AS 16.43.

(b) When a fisherman sells fish to a fish processor or primary fish buyer, the fisherman shall have in his possession an entry permit or interim-use permit issued or transferred to him under AS 16.43 and

(1) a picture identification card; or

(2) if the entry permit or interim-use permit was transferred to the fisherman under AS 16.43.180, an emergency transfer slip completed in accordance with AS 16.43.180 and with regulations of the Alaska Commercial Fisheries Entry Commission adopted under AS 16.43.180.

(c) If requested by a fish processor or primary fish buyer or by a peace officer, the fisherman shall present the picture identification card or emergency transfer slip required to be in his possession under (b) of this section for inspection.

(d) If a licensed fish processor or primary fish buyer purchases raw fish in violation of this section, the commissioner of revenue shall suspend his license for a period of time the commissioner of revenue

determines is appropriate. After three suspensions his license may be permanently revoked by the commissioner of revenue. Proceedings to suspend or revoke a license under this subsection are governed by the Administrative Procedure Act (AS 44.62).

(e) In (b)(1) of this section "picture identification card" means an identification card issued by a local, state, or federal agency which bears a photograph of the person to whom the card is issued. A "picture identification card" may include, but is not limited to, a motor vehicle operator's license issued under AS 28.15.080, an identification card issued under AS 18.65.310, or a fishermen's identification card issued under AS 16.10.267.

Sec. 16.10.267. FISHERMEN'S IDENTIFICATION CARDS. (a) Upon payment of a \$5 fee, the Department of Public Safety shall issue a fishermen's identification card to a person who requests one. The fishermen's identification card shall be identical to an identification card issued under AS 18.65.310 except that the fishermen's identification card may include the number of an entry permit possessed by the person identified on the card.

(b) A person may obtain a fishermen's identification card by applying to the Department of Public Safety on forms and in the manner prescribed by the Department of Public Safety.

(c) A person who knowingly makes a fraudulent written statement or application for a fishermen's identification card concerning age, race, sex, entry permit number or other identifying characteristics, is guilty of a class B misdemeanor.

(d) It is a class B misdemeanor for a person to possess, use, produce or manufacture a fraudulent fishermen's identification card.

(e) It is a class B misdemeanor for a person to allow a fishermen's identification card issued to him to be used by another person.

* Sec. 2. AS 16.10.296 is amended to read:

Sec. 16.10.296. DEFINITIONS. In AS 16.10.265 - 16.10.296 [AS 16.-10.270 - 16.10.296], unless the context otherwise requires,

(1) "commissioner" means the commissioner of labor;

(2) "fish" means any species of aquatic fin fish, invertebrates and amphibians, shellfish, or any other raw fishery resource, in any stage of its life cycle, found in or introduced into the state;

(3) "fish processor" means a person engaging or attempting to engage in a business for which a license is required under AS 43.75.-010 - 43.75.090;

(4) "primary fish buyer" means a person, other than a cooperative corporation organized under AS 10.15, engaging or attempting to engage in the business of originally purchasing or buying any raw fishery resource in intrastate, interstate, or foreign commerce.

* Sec. 5. AS 16.43.360(a) is amended to read:

(a) A person who violates or assists in the violation of a provision of this chapter or a regulation promulgated under this chapter is, upon conviction, guilty of a misdemeanor and is punishable by a fine of not more than \$5,000 for a first conviction, and a fine of not more than \$10,000 for a second or third conviction. Upon a third conviction, the person shall forfeit all interim-use and entry permits held by him and loses eligibility for future issuance or transfer of interim-use or entry permits for a period of three years. Upon a first or second conviction under this section, the court may in its discretion order a forfeiture of interim-use or entry permits held by him as well as a loss of eligibility for future issuance or transfer of interim-use or entry permits or order a suspension of fishing rights under interim-use or entry permits held or to be held by him for a period of not more than three years. This subsection does not apply to violations of AS 16.43.

140(a).

* Sec. 4. AS 16.43.360 is amended by adding a new subsection to read:

(f) A person who violates the provisions of AS 16.43.140(a), upon conviction, shall forfeit the value of the fish caught by the person in the course of the violation. In addition, the person is subject to the following penalties:

(1) a fine of not less than \$1,000 or more than \$5,000 upon the first conviction;

(2) a fine of not less than \$5,000 or more than \$10,000 and loss of all fishing privileges in the state, including subsistence, sport and commercial fishing privileges, for two years after the date of conviction upon the second conviction;

(3) forfeiture of the vessel and gear used in the violation and imprisonment for a period of not less than three months or more than one year upon each conviction after the second.

JAY S. HAMMOND, GOVERNOR

DEPARTMENT OF LABOR

OFFICE OF THE COMMISSIONER

P. O. BOX 1149
JUNEAU, ALASKA 99811

March 10, 1980

Ms. Mary Levan
Administrative Assistant
House Resources Committee
Pouch V
Juneau, Alaska 99811

Dear Ms. Levan:

Thank you for taking the time to discuss Sponsor Substitute for HB 630 with me last week. I am providing a corrected Fiscal Note with sufficient copies for the committee's bill folders. My apologies for the most embarrassing error in our original submission.

Please advise if the bill should be rescheduled for hearing.

Sincerely,



Judy G. DuBois
Legislative Liaison

Enclosures

THE LEGISLATURE OF THE STATE OF ALASKA
ELEVENTH LEGISLATURE

FISCAL NOTE

I. REQUEST

Bill/Resolution No. Sponsor Substitute for House Bill 630

Title An Act relating to the taking and sale of fish without an entry permit

Requested by Angerson

Date 2/25/80

II. FISCAL DETAIL

Agency Affected Labor

Program Category Affected Worker Protection

BRU, Program, or Subprogram(s) Affected Wage and Hour Administration

(Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)

EXPENDITURES (Thousands of Dollars)

	FY 80	FY 81	FY 82	FY 83	FY 84	FY 85
100 PERSONAL SERVICES	0	77.3	77.3	77.3	77.3	77.3
200 TRAVEL	0	8.5	9.1	9.7	10.4	11.1
300 CONTRACTUAL	0	17.2	18.4	19.6	21.0	22.5
400 COMMODITIES	0	.8	.9	1.0	1.0	1.1
500 EQUIPMENT	0	3.3	0	0	0	0
600 LAND & STRUCTURES	0	0	0	0	0	0
700 GRANTS, CLAIMS, ETC.	0	0	0	0	0	0
TOTAL	0	107.1	105.7	107.6	109.7	112.0

FUNDING (Thousands of Dollars)

GENERAL FUND	0	107.1	105.7	107.6	109.7	112.0
FEDERAL FUNDS						
OTHER (Specify Fund Source)						

POSITIONS

FULL TIME	0	3	3	3	3	3
PART TIME	0	0	0	0	0	0
TEMPORARY	0	0	0	0	0	0

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

- a. Assume effective date July 1, 1980.
- b. Salary schedule effective 3/16/80. No increase for inflation.
- c. Non-personal services expenditures (200-400) increase at 7% inflation rate.

IV. DATE February 25, 1980

PREPARED BY James Souby

AGENCY Labor

PHONE 465-2720

Original Legislative Finance

cc Budget and Management

Prime Sponsor (First Legislator Named)

1	POSITION TITLE Wage & Hour Investigator I			RANGE/STEP 16 A	BASIC UNIT GGU	LOCATION Juneau	GDV	APPROV.	DISAPP
2	TYPE OF POSITION PFT	STAFF MONTHS 12	HP No.	PCN No.	PRIORITY 1	FORM 12	PAGE/LINE	LEV.	
3	TYPE OF EXPENDITURE			AMOUNT					
	1			2			3		
4	PERSONAL SERVICES:								
	SALARY			2,132 P/M	25,584				
5	BENEFITS			1,542	3,945				
6	FICA			665	1,701				
7	HEALTH INS			127 x 12	1,524				
8	TOTAL PERSONAL SERVICES				32,754				
9	TRAVEL				7,500				
10	CONTRACTUAL				6,750				
11	COMMODITIES				280				
12	EQUIPMENT				1,250				
13	OTHER								
14	TOTAL COST				48,534				
JUSTIFICATION									
<p>Pers. Service: Salary schedule effective 3/16/80. Travel: Extensive travel to all areas in the state. Contractual Services: Cost per position for proposed FY '81 Budget plus amendment. (99.0 ÷ 19), plus chartering cost to remote areas. Commodities: Cost per position for FY '81 Budget (5.2 ÷ 19). Equipment: Desk, Chair, dictating equipment, etc.</p> <p>Justification for position: This position is needed to promulgate regulations to implement that act. To investigate violations and to hold hearings on suspensions and revocations. This investigator will be required to hold hearings in locations where possible violations may reside, to interview witnesses, and to gather evidence.</p>									
	LODI	FUNDING SOURCE							
15		FED RCPTS							
16		GF MATCH							
17		GEN FUND			48,534				
18		F. A. RCPTS							
19		PGM RCPTS							
20		OTHER							
21	CONTINUATION								
22	ADDITION			XXXX	FOR B&M USE ONLY				
4A KEY NUMBER _____ COLUMN NO. _____									

AGENCY Labor PROGRAM AREA Worker Protection
Wage & Hour
Wage & Hour Admin.

13 REQUEST FOR NEW POSITION

BRU COMPONENT

FY 81

1	POSITION TITLE : Wage & Hour Technican I			RANGE/STEP 12	BARG. UNIT GGU	LOCATION Juneau	APPROV. GOV	DISAPP
2	TYPE OF POSITION PFT	STAFF MONTHS 12	RP No.	PCN No.	PRIORITY 1	FORM 12 PAGE/LINE	LEG	
3	TYPE OF EXPENDITURE			AMOUNT				
	1			2				
	3			4				
4	PERSONAL SERVICES							
	SALARY 1,628 P/M			19,536				
5	BENEFITS .1542			3,012				
6	FICA .0615			1,299				
7	HEALTH INS 127 x 12			1,524				
8	TOTAL PERSONAL SERVICES			25,371				
9	TRAVEL			1,000				
10	CONTRACTUAL			5,200				
11	COMMODITIES			280				
12	EQUIPMENT			1,000				
13	OTHER							
14	TOTAL COST			32,851				
15	FEDERALS							
16	FED MATCH							
17	FED FUND			32,851				
18	STATE							
19	LOCAL							
20	OTHER							
21	CONTINUATION							
22	ADDITION			XXXX FOR B&M USE ONLY				
AA	REF NUMBER			COLUMN NO.				

JUSTIFICATION:

Pers. Svcs.: Salary schedule effective 3/16/80.
 Travel: Estimate of 2 - 3 trips between Anchorage and Juneau travel and per diem.
 Contractual: Cost per position for proposed FY '81 budget and amendment (99.0 ÷ 19).
 Commodities: Cost per position for FY '81 Budget (5.2 ÷ 19).
 Equipment: Desk, chair, etc. (one time cost).

Justification for position: The position is needed to assist the Investigator I in the preparation of regulations. To correspond with fish buyers, fish processors, and fishermen regarding compliance with the law, to audit records, and to assist with hearings.

This position will also need to be outfitted with a desk and other office equipment.

AGENCY Labore PROGRAM AREA Worker Protection

BRU Wage & Hour

COMPONENT Wage & Hour Admin.

Page 2 of 3

REVISED
DATE

FY 81

13 REQUEST FOR NEW POSITION

1	POSITION TITLE Clerk Typist II				RANGE/STEP 7	BARG UNIT. GGU	LOCATION Juneau	APPROV GOV	DISAPP
2	TYPE OF POSITION PFT	STAFF MONTHS 12	RP No.	PCN No.	PRIORITY 1	FORM 12 - PAGE/LINE		LEG	

3	TYPE OF EXPENDITURE		AMOUNT
	1	2	3
4	PERSONAL SERVICES- SALARY	1,207 P/M	14,484
5	TRAVEL	.1542	2,233
6	FICA	.0665	963
7	HEALTH INS.	127 x 12	1,524
8	TOTAL PERSONAL SERVICES		19,204
9	TRIP		-
10	CONTRACTUAL		5,200
11	COMMODITIES		280
12	EQUIPMENT		1,000
13	OTHER		
14	TOTAL COST		25,684

JUSTIFICATION:

Pers. Svcs: Salary schedule effective 3/16/80.
 Contractual Services: Cos per position in this BRU
 (99.0 ÷ 19).
 Commodities: Cost per position for FY '81 budget (5.2 ÷ 19).
 Equipment: Desk, chair, etc.

Justification for Position: This position will need all the necessary tools of the trade.

This position is required to do the necessary typing, filing, and general clerical backup for the other two positions.

	CODE	FUNDING SOURCE	
15		FED RCPTS	
16		GR MATCH	
17		GEN FUND	25,684
18		F.A. RCPTS.	
19		POP RCPTS	
20		OTHER	

21 CONTINUATION
 22 ADDITION **XXXX** **FOR B&M USE ONLY**

4A RE NUMBER _____ COLUMN NO. _____

as of 3/25/80 - still in Senate Resources

Introduced: 2/5/80
Referred: Resources and Judiciary

Similar to BS#8630

BY THE RESOURCES COMMITTEE BY REQUEST

1 IN THE SENATE

2 SENATE BILL NO. 391

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 ELEVENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the taking and sale of fish without
7 an entry permit or interim-use permit."

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

9 * Section 1. AS 16.10 is amended by adding a new section to read:

10 Sec. 16.10.265. PURCHASE OF FISH FROM PERMIT HOLDERS. A licensed
11 fish processor or primary fish buyer may purchase raw fish only from a
12 seller who holds an entry permit or an interim-use permit issued or
13 transferred to the seller in accordance with AS 16.43.

14 * Sec. 2. AS 16.10.294(c) is amended to read:

15 (c) If a licensee fish processor or primary fish buyer fails to
16 fulfill his obligations as set out in AS 16.10.290 or purchases raw fish
17 in violation of AS 16.10.265, his license shall be suspended for a
18 period of time the commissioner determines is appropriate. After three
19 suspensions his license may be permanently revoked.

20 * Sec. 3. AS 16.10.296 is amended to read:

21 Sec. 16.10.296. DEFINITIONS. In AS 16.10.265 - 16.10.296 [AS 16.-
22 10.270 - 16.10.296], unless the context otherwise requires,

23 (1) "commissioner" means the commissioner of labor;

24 (2) "fish" means any species of aquatic fin fish, inverte-
25 brates and amphibians, shellfish, or any other raw fishery resource, in
26 any stage of its life cycle, found in or introduced into the state;

27 (3) "fish processor" means a person engaging or attempting to
28 engage in a business for which a license is required under AS 43.75.00
29 43.75.090;

1 (4) "primary fish buyer" means a person, other than a co-
2 operative corporation organized under AS 10.15, engaging or attempting
3 to engage in the business of originally purchasing or buying any raw
4 fishery resource in intrastate, interstate, or foreign commerce.

5 * Sec. 4. AS 16.43.360(a) is amended to read:

6 (a) A person who violates or assists in the violation of a provi-
7 sion of this chapter or a regulation promulgated under this chapter is,
8 upon conviction, guilty of a misdemeanor and is punishable by a fine of
9 not more than \$5,000 for a first conviction, and a fine of not more than
10 \$10,000 for a second or third conviction. Upon a third conviction, the
11 person shall forfeit all interim-use and entry permits held by him and
12 loses eligibility for future issuance or transfer of interim-use or
13 entry permits for a period of three years. Upon a first or second
14 conviction under this section, the court may in its discretion order a
15 forfeiture of interim-use or entry permits held by him as well as a loss
16 of eligibility for future issuance or transfer of interim-use or entry
17 permits or order a suspension of fishing rights under interim-use or
18 entry permits held or to be held by him for a period of not more than
19 three years. This subsection does not apply to violations of AS 16.43.-
20 140(a).

21 * Sec. 5. AS 16.43.360 is amended by adding a new subsection to read:

22 (f) A person who violates the provisions of AS 16.43.140(a), upon
23 conviction, shall forfeit the value of the fish caught by the person in
24 the course of the violation. In addition, the person is subject to the
25 following penalties:

26 (1) a fine of not less than \$1,000 or more than \$5,000 upon
27 the first conviction;

28 (2) a fine of not less than \$5,000 or more than \$10,000 and
29 loss of all fishing privileges in the state, including subsistence,

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sport and commercial fishing privileges, for two years after the date of conviction upon the second conviction;

(3) forfeiture of the vessel and gear used in the violation and imprisonment for a period of not less than three months or more than one year upon each conviction after the second.