

HB

665

(9)

COMMITTEE REPORT

HOUSE

7/4/80

FURTHER:

Date: 9/9/80

Mr. Speaker:

The Committee on RESOURCES has had HB 675

"An Act relating to late applications for limited entry permits; and providing for an effective date."

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 _____ 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] N. 2155

CHAIRMAN

AGU 125395

<

Teleconference 3/3/80
Hearing 4/24/80
Reported Out 4/29/80





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: Late Applications for Limited Entry Permits

BILL	DATE INFORMED	LETTER/PHONE	INFORMED	HEARING DATE
HB 665	4/21		Rep. Nels Anderson, Sponsor Commercial Fisheries Entry (Requested new fiscal note) Commission Dept. of Fish & Game United Fishermen of Alaska Alaska Legal Services - Dillingham Rural Caps - Dave Katzig	4/24



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HOUSE RESOURCES COMMITTEE

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(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
HB HB	2/25		Public Service announcements to all teleconference sites: Anchorage, Barrow, Bethel, Tillingham Fairbanks, Juneau, Kenai, Ketchikan, Kodiak, Kotzebue, Nome, Sitka	3/3
	2/28	586-2820	United Fishermen of Alaska	
	2/29	586-3340	Pam Finley, Atty.	
	2/29	586-3456	Requested fiscal note from Commercial Fisheries Entry Co for HB665	
	2/29	4322	Requested fiscal note on SS HB 630 - Public Safety	
	2/29	2700	Labor Dept.	
	3/3	235-8184	C. Michael Hough, Homer - notified at request of Rep. Pat O'Con.	

This version reported out of Resources 4/29/80

Introduced: 2/4/80
Referred: Resources

1 IN THE HOUSE

BY ANDERSON

CS HOUSE BILL NO. 665

2
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 late applications for limited entry
7 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 the
13 closing date for applications set by the commission in accordance with AS 16.
14 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 of
18 hardship, as defined in AS 16.43.250, it is necessary to ensure that persons
19 eligible for permits are not denied permits solely because of a failure to
20 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 after

1 the closing dates of the application period for the fisheries, but before the
2 effective date of this Act shall be considered to have applied under this
3 section. The Alaska Commercial Fisheries Entry Commission shall process
4 applications received under this section as if they had been submitted during
5 the application period set by the commission, except that the commission
6 shall afford an additional reasonable period of time for the submission of
7 supporting evidence. The application period established in this section
8 shall open on the effective date of this Act and shall close on December 31,
9 1980. *Commercial Fisheries Entry Commission shall substantially complete the processing of
timely applications before the implementation of this act.*

10 * Sec. 3. The Alaska Commercial Fisheries Entry Commission shall process
11 applications received under sec. 2. of this Act in accordance with regula-
12 tions applicable to the fishery into which entry is sought except as other-
13 wise provided in sec. 2 of this Act. The Alaska Commercial Fisheries Entry
14 Commission shall issue permits to persons applying under this Act who demon-
15 strate hardship equal to that shown by persons previously issued permits, *except that no
permits shall
be issued to
persons who
would suffer
minor
economic hardship
from exclusion
under
AS 16.43.
250 (c).*
16 The Alaska Commercial Fisheries Entry Commission may issue permits in excess
17 of the maximum number of permits established for a fishery under AS 16.43.-
18 230 - 16.43.240 for the purposes of this section. This section does not
19 authorize the Alaska Commercial Fisheries Entry Commission to revoke a permit
20 previously issued.

21 * Sec. 4. This Act takes effect immediately in accordance with AS 01.10.-
22 070(c).

MEMORANDUM


State of Alaska

TO Robert J. Simon
 Chairman
 Commercial Fisheries Entry
 Commission

DATE: March 6, 1980

FILE NO

TELEPHONE NO

FROM: Derrill L. Johnson 
 Director of Administration
 Commercial Fisheries Entry
 Commission

SUBJECT: Financial Analysis of
 HB-665 - Late Application
 Bill

You asked that I prepare a preliminary estimate of the incremental costs should HB 665 be enacted. I utilized the following assumptions: (1) we will receive 5,000 handtroll applications in FY 81; (2) the late application period will generate 5,000 additional applications; (3) the 600 case backlog in adjudications is to be completed prior to awarding permits under the new application period; and (4) the Commission's intent is to finalize the processing of the new applications in two years. There is no provision for application assistance or other type of professional services added to this estimate.

You have noted that HB 665 does not have a Finance Committee referral at present. Additionally, there seems to be at least some question as to whether the bill will be amended in a manner which will affect the fiscal impact. Hence, I hope this memorandum suffices until a formal fiscal note is required. Because of the short time allowed to complete this estimate, I believe there could be a 5% change in the final figure of 1,154.7 even if the bill is not amended.

<u>Category</u>	<u>Backlog</u>	<u>Late Applications</u>	<u>Total Projection</u>
PERSONAL SERVICES			
1. Hearing Officer (20A) @ 3039/mo.	145,872 (4)	145,872 (4)	291,744 (8)
2. Legal Assistant (10A) @ 1564/ mo.	37,536 (2)	37,536 (2)	75,072 (4)
3. App. Tech. (13A) @ 1870/mo.	22,440 (1)	89,760 (4)	112,200 (5)
4. Sec. I (10A) @ 1564	37,536 (2)	37,536 (2)	75,072 (4)
5. Clerk Typist III (8A) @ 1393/mo.	16,716 (1)	--	16,716 (1)
6. Programmer III (18A) @ 2640/mo.	--	31,680 (1)	31,680 (1)
	260,100	342,384	602,484
Benefits 30%	78,030	102,715	180,745
	<u>338,130</u>	<u>445,099</u>	<u>783,229</u>

TOTAL:

783.3

Robert J. Simon

(2)

March 6, 1980

<u>Category</u>	<u>Backlog</u>	<u>Late Applications</u>	<u>Total Projection</u>
TRAVEL			
To hold adjudication and oral hearings with fishermen regarding their pending applications.	5,000	40,000	45,000
		TOTAL:	45.0
CONTRACTUAL			
310-Phone Charges/Long Distance			
Installation of new system	3,600	4,060	7,660
Postage	6,000	10,000	10,000
		19,000	25,000
320-Forms, Cards, Apps.			
ADF&G Plates			5,000
Central Duplicating			2,000
Advertising			5,000
			30,000
330-Space Leasing @ 110 sq.ft./person, storage and file space.			
1200 sq.ft. @ 1.60/ft. for Backlog	19,200		19,200
2800 sq.ft. @ 1.60/ft. for Late Applications		41,800	44,800
360-General Leasing			
Xerox		6,000	6,000
Data Processing Services		28,536	28,536
4 terminals--1 @ 300/mo. terminal + controller;	300		
3 @ 120/mo.-terminal only	360		
2 modems @ 40/mo.	80		
1 4-wire line @ 80/mo.	80		
Transaction processing 228/terminal/mo.	912		
Network charges 124/terminal/mo.	496		
Disk storage \$3.58/meg-40 megs. 143.20/mo.	150		
	<u>2,378/mo.</u>		
	28,536		
	Sub-Total for Contractual Services:		183,196

Robert J. Simon

(3)

March 6, 1980

<u>Category</u>	<u>Backlog</u>	<u>Late Applications</u>	<u>Total Projection</u>
360-(cont'd) - balance carried forward			183,196
Maintenance			
Pitney Bowes Postage Machine			
Data Processing and Xerox			
Miscellaneous Maintenance		4,584	4,584
390-Staff Development:	2,500	2,500	5,000
Training in Administrative law and procedures, secretarial training and records management instruction and investigative procedures in accordance with the Administrative Procedures Act.			
			<hr/>
			TOTAL: 192,780
COMMODITIES	4,000	9,000	13,000
General office supplies, paper, ribbons, card stock, envelopes, letterhead, etc.			
			TOTAL: 13.0
EQUIPMENT			
Purchase one 4-station Lexitron Work Processing Center:			
Units 2 Model 1303 @ 14,570/ea. - 29,140			
Units 1 Model 1303E @ 10,951/ea. - 10,951			
Units 1 Model 1202E @ 9,351/ea. - 9,351			
to support the correspondence generated by 8 Attorneys, 4 Investigators/Legal Assistants, 5 Application Techs. and 1 Programmer			
			49,442

<u>Category</u>	<u>Backlog</u>	<u>Late Applications</u>	<u>Total Projection</u>
EQUIPMENT (cont'd) - balance carried forward			49,442
Maintenance and Setup Charges to be allocated equally to both Backlog and Late Applications			10,173
Office Setup:			
Executive Desks @ 472.00 (18)	3,304	5,192	8,496
Desk Chairs @ 450.00 (18)	3,150	4,950	8,100
Coat Racks @ 48.00 (14)	336	336	672
File Cabinets-			
4-Drawer LL @ 307.00 (8)	1,228	1,228	2,456
4-Drawer SL @ 272.00 (6)	272	1,360	1,632
2-Drawer LL @ 221.00 (4)	442	442	884
2-Drawer SL @ 198.50 (9)	594	1,182	1,776
5-Drawer Lt.L @ 752.00 (6)	--	4,512	4,512
Bookcase-			
3 Shelves @ 168.00 (18)	1,512	1,512	3,024
Conf. Rm. Table @ 1058.00 (1)	--	1,058	1,058
Working Table @ 95.00 (8)	380	380	760
4-Tier Out-			
baskets @ 17.00 (23)	170	221	391
Wastebaskets @ 20.00 (23)	200	260	460
Pentaflex Frms (Legal) @ 8.00 (64)	256	256	512
Pentaflex Frms. @ 6.00 (102)	228	314	612
Tape Recorders-			
(Portable) @ 296.00 (8)	1,184	1,184	2,368
Sec. Desk @ 662.00 (5)	1,986	1,324	3,310
Chair @ 346.00 (5)	1,038	692	1,730
Typing Stand @ 166.00 (11)	664	1,162	1,826
Transcriber* @ 537.00 (4)	1,074	1,074	2,148
Dictation* @ 537.00 (11)	2,685	3,222	5,907
*Dictaphone 2500 Model			
Typewriter-Correcting			
Selectric @ 1000.00 (8)	4,000	4,000	8,000
Calculators @ 150.00 (2)	150	150	300
	<u>24,853</u>	<u>36,081</u>	

TOTAL: 120,549 120.6

GRAND TOTAL: 1,154.7

Support
HB665

TELEGRAM

'80 APR 28 PM 10 33

TO: THE DIRECTOR, FBI
FROM: SAC, NEW YORK (100-100000)
SUBJECT: MURDER OF MARTIN LUTHER KING, JR.
RE: NEW YORK TELETYPE TO BUREAU, APRIL TWENTY EIGHT LAST.

FOR YOUR INFORMATION, THE NEW YORK OFFICE IS CURRENTLY REVIEWING THE MATTER.

VERY TRULY YOURS,
JAMES M. MOHR, SAC

LAB4 1510 11.10 JAG1 0038 11.11 04/29/80

TO JUNEAU
FROM DILLINGHAM

PLEASE RELAY THE MESSAGES BELOW TO REPRESENTATIVE ALVIN OSTERBACK AND THE
OTHER MEMBERS OF THE HOUSE RESOURCES COMMITTEE

#####

TO REP. ALVIN OSTERBACK, CHAIRMAN, HOUSE RESOURCES COMMITTEE AND ALL OTHER
COMMITTEE MEMBERS
FROM: EILEEN CHUCKWUK LEWIS, BOX 46, ALEKNAGIK, ALASKA

PLEASE PASS HB665. I AM IN SUPPORT OF HB665 AND HOPE THAT IT BECOMES LAW.

#####

TO REP. ALVIN OSTERBACK, CHAIRMAN, HOUSE RESOURCES COMMITTEE AND ALL OTHER
COMMITTEE MEMBERS

FROM: HARRY AND DAISY BARNES, P. O. BOX 111, DILLINGHAM, ALASKA
RONNIE, ANDREW, AND HARRY BARNES, P. O. BOX 111, DILLINGHAM, ALASKA 99577

I WOULD LIKE YOU TO PASS HB665. WE ARE IN FULL SUPPORT OF THIS BILL BECAUSE IT
WOULD RE-OPEN THE APPLICATION FOR LATE FILERS. THANK YOU FOR YOUR
CONSIDERATION.

#####

LAB4 1929 12.10 JAG1 0044 12.10 04/29/80

TO JUNEAU FROM DILLINGHAM

PLEASE RELAY THE MESSAGE BELOW TO REPRESENTATIVE ALVIN OSTERBACK, CHAIRMAN,
HOUSE RESOURCES COMMITTEE AND ALL OTHER MEMBERS OF THE COMMITTEE WITH A
COPY TO REPRESENTATIVE NELS ANDERSON.

#####

I SUPPORT HB665, THE LATE FILER'S BILL. I HOPE THIS PASSES THE LEGISLATURE
TO BECOME LAW THIS SESSION. PLEASE SUPPORT THIS BILL.

FROM: TARIANA MCCORMICK, BOX 157, DILLINGHAM, ALASKA 99576

#####

LAB4 1651 11.27 JAO1 0040 11.27 04/29/80

TO JUNEAU
FROM DILLINGHAM

PLEASE RELAY THE MESSAGES BELOW TO:

REP. ALVIN OSTERBACK, CHAIRMAN, HOUSE RESOURCES COMMITTEE AND ALL
MEMBERS OF HOUSE RESOURCES

FROM: NINA HANSEN NICHOLSON, AND HERBERT NICHOLSON, BOX 177, DILLINGHAM
ALASKA 9957

PLEASE PASS HB665 FROM YOUR COMMITTEE TODAY. WE URGE YOUR SUPPORT OF
THIS BILL. WE ARE IN FULL SUPPORT OF THIS BILL AND WOULD LIKE TO SEE THIS
BILL BECOME LAW THIS LEGISLATIVE SESSION. THANK YOU FOR YOUR CONSIDERATION.

LA32 1975 12.22 JAO1 0049 12.22 04/29/80

3

TO REP. AL OSTERBACK, SENATOR HOKMAN, REP. PHIL GUY
FROM CARL BERRY
PO BOX 962
BETHEL, ALASKA 99559 543-3301

I AM IN SUPPORT OF HB 665 FOR THE FOLLOWING REASON. I DID APPLY
FOR MY LIMITED ENTRY PERMIT ON TIME BUT FAILED TO LET THE COMMISSION
KNOW THAT I WAS DOWN SOUTH IN SCHOOL DURING ONE YEAR OF THE EFFECTED
YEARS. IF THIS BILL PASSES, I AM SURE MY CASE COULD BE REVIEWED
AGAIN AND A LIMITED ENTRY PERMIT ISSUED TO ME. PLEASE SUPPORT HB
665 AND HELP ALL FISHERMAN IN ALASKA.

THANK YOU

#####

TO REPRESENTATIVE ALVIN OSTERBACK AND OTHER MEMBERS OF THE HOUSE
RESOURCES COMMITTEE

FROM OLGA AND MIKE SAM, CHIGNIK LAGOON, ALASKA 99565

I AM IN SUPPORT OF HB665 ON OPENING THE LIMITED ENTRY APPLICATION.
I HOPE THIS BILL WILL PASS THROUGH THE LEGISLATURE.

#####

TO JUNEAU
FROM DILLINGHAM

#####

PLEASE RELAY THE MESSAGE BELOW TO REPRESENTATIVE ALVIN OSTERBACK,
CHAIRMAN HOUSE RESOURCES COMMITTEE AND ALL HOUSE RESOURCES COMMITTEE
MEMBERS

ALSO: SENATOR GEORGE HORMAN, REPRESENTATIVE NELS ANDERSON, SENATOR
CLEM TILLION

FROM: GEORGE CHUCKWUK, BOX 46, ALEKNAGIK, ALASKA

PLEASE PASS HB666, AN ACT PERTAINING TO LATE FILERS THAT YOU HAVE IN
YOUR COMMITTEE. I SUPPORT THIS BILL AND WOULD LIKE TO SEE IT PASSED
THIS LEGISLATIVE SESSION. THANK YOU.

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LAB4 3593 16.16 JAD1 0128 16.16 04/28/00

TO: REPRESENTATIVE ALVIN OSTERBACK AND ALL MEMBERS OF THE HOUSE
RESOURCES COMMITTEE

FROM: OLGA SAM AND MIKE SAM, CHIGNIK LAGOON, ALASKA 99565

I AM IN SUPPORT OF HB 665, ON REOPENING THE LIMITED ENTRY APPLICATION.
I HOPE THIS BILL WILL PASS THROUGH THE LEGISLATURE.

6

TO JUNEAU FROM DILLINGHAM

PLEASE RELAY THE MESSAGES BELOW TO REP. ALVIN OSTERBACK AND THE OTHER MEMBERS OF THE HOUSE RESOURCES COMMITTEE. WITH COPIES TO REP. NELS ANDERSON, SEN. GEORGE HOHMAN, SEN. BOB MULCANY, SEN. CLEM TILLION AND SENATOR JOHN SACKETT.

#####

TO REP. ALVIN OSTERBACK AND ALL MEMBERS OF THE HOUSE RESOURCES COMMITTEE FROM: ELIA PHILLIPS, PERRYVILLE, ALASKA

I SUPPORT HB 665, THE LATE FILER'S BILLS AND URGE PASSAGE.

#####

TO REP. ALVIN OSTERBACK AND ALL MEMBERS OF THE HOUSE RESOURCES COMMITTEE FROM: BOBBY ANDREW, BOX 99, DILLINGHAM, ALASKA 99576

I'M IN SUPPORT OF HB665 TO RE-OPEN APPLICATION TIME TO THOSE WHO WERE LATE. HAVING FISHED THE BRISTOL BAY REGION AND A RESIDENT I HOPE THIS BILL WILL HELP SOME OF US WHO FISHED IN PRIOR YEARS TO QUALIFY FOR A PERMIT THIS TIME.

I STRONGLY URGE YOUR SUPPORT AND PASSAGE OF THIS BILL THIS LEGISLATIVE SESSION.

#####

TO REP. ALVIN OSTERBACK, CHAIRMAN OF HOUSE RESOURCES, AND ALL COMMITTEE MEMBERS FROM: WASSILLIE TIMURPHY, BOX 63, S. STUYAHOK, ALASKA 99576

I HOPE YOU PASS HB665 SO THAT IT BECOMES LAW. PLEASE PASS THIS BILL SO THAT THE ONLY WHO NEED IT WILL BE ABLE TO GET LIMITED ENTRY PERMITS.

#####

TO REPRESENTATIVE ALVIN OSTERBACK, CHAIRMAN, HOUSE RESOURCES COMMITTEE AND ALL MEMBERS OF THE HOUSE RESOURCES COMMITTEE

FROM: ANNIE KAWAOLIA AND WASSILLIE KAWAOLIA, BOX 16, DILLINGHAM, AK 99576

I WOULD LIKE YOU AND YOUR COMMITTEE TO PASS HB665, THE LATE FILER'S ACT THAT IS IN YOUR COMMITTEE. PLEASE PASS THIS BILL. THANK YOU.

#####

TO REP. ALVIN OSTERBACK, CHAIRMAN, HOUSE RESOURCES AND ALL COMMITTEE MEMBERS

FROM: LILLIAN A. HINDS, BOX 82, DILLINGHAM, ALASKA 99576

PLEASE PASS HB665, THE LATE FILER'S BILL THAT IS IN YOUR COMMITTEE. I SUPPORT THIS BILL AND HOPE THAT IT WILL BECOME LAW.

#####

LA34 0005 09.41 JAD1 0014 09.41 04/27/80

b

TO JUNEAU FROM DILLINGHAM

PLEASE RELAY THE MESSAGES BELOW TO REP. ALVIN OSTERBACK, CHAIRMAN HOUSE RESOURCES COMMITTEE AND ALL COMMITTEE MEMBERS, WITH COPIES TO REP. NELS ANDERSON, SENATOR GEORGE MOHMAN, SENATOR CLEM TJLLION, SENATOR BOB MULCAHY, AND SENATOR JOHN SACKETT

TO REP. ALVIN OSTERBACK AND ALL MEMBERS OF THE HOUSE RESOURCES COMMITTEE FROM: WILLIAM AND MARY ANN JOHNSON, DILLINGHAM, ALASKA 99576

WE URGE YOUR PASSAGE OF HB665, THE LATE FILER'S APPLICATION BILL THAT IS BEFORE YOUR COMMITTEE. WE ARE IN SUPPORT OF HB665.

TO REP. ALVIN OSTERBACK AND ALL MEMBERS OF THE HOUSE RESOURCES COMMITTEE FROM: DORIS R. LARSON, BOX 83, DILLINGHAM, ALASKA 99576

PLEASE SUPPORT PASSAGE OF HB665 THAT IS IN YOUR COMMITTEE AND AWAITING ACTION. I FULLY SUPPORT HB665 AND HOPE THAT IT BECOMES LAW.

TO REP. ALVIN OSTERBACK AND ALL MEMBERS OF THE HOUSE RESOURCES COMMITTEE FROM: BERNICE L. HEYANO, DILLINGHAM, ALASKA 99576

I SUPPORT HB665, THE LATE FILER'S BILL. I HOPE THAT YOU AND ALL THE COMMITTEE MEMBERS WILL VOTE FOR PASSAGE OF THIS VERY IMPORTANT BILL.

TO REP. ALVIN OSTERBACK AND ALL MEMBERS OF THE HOUSE RESOURCES COMMITTEE FROM: WILLIAM A. JOHNSON, DILLINGHAM, ALASKA 99576

I SUPPORT THE LATE FILER'S BILL, HB665. I URGE YOUR PASSAGE OF THE BILL BEFORE YOU IN COMMITTEE AND HOPE THAT IT BECOMES LAW THIS LEGISLATURE.

John W. Yabluk
Box Delivery
Etowah, Ak.

99580

Alvin Osterback
House Resources Committee
Juneau, Alaska
99511

Dear Mr Osterback,

I am writing to
you concerning HB 665, Late
Applications for Limited Entry
Permits.

My father Simon Yabluk
and brother Stephen were
both eligible to apply for
permits. My brother Stephen
was in jail at the time of
application. My father was a
Yupik speaking Eskimo, who
spoke little English and didn't
know about the application
process. My father sold some
his boat and gear at the
time and my brother sold
gear licenses. I have fish
most of my life with a
number of boats and other
gear in Juneau. I was
away for several months
during the application period

My brother died in 1975 and my
father in 1977. Since I am the
only living male in the Yukluk
family, I think it should be
allowed to apply for a permit
and carry on with the only
livelihood I have ever known:
fishing.

When you vote on H.B. 665
please consider my situation.

Respectfully,
John A. Galt

John A. Galt

John A. Galt

John A. Galt

April 23/80

Alvin Osterback
House Resources Committee
Pouch V
Juneau, Alaska 99811

Re: H.B. 665 - Late Applications
for Limited Entry Permits

Dear Sir:

I wish very much to be able
to apply for a limited Entry
Permit.

It was my life time occupation
since I was a young man for
only 3 months out of a year. Some
times less than 3 months.

Thank you,
Sincerely yours,
John Moore

P.S. Sometimes I need some monies
to get by the winter seasons.

HB 665

Alexander Creek

4-24-80

Alvin Osterback
House Resource Com.

Dear Sir:

For five years I fished on the "West" side of Kovichak Bay, Bristol Bay. Fish returns were then, from '68 thru '72, very poor & fishing time greatly restricted. It was a poor living. Then came "limited entry". I had few funds then for any purpose & didn't realize by not applying that I would lose my chance to apply.

I still have my beach site & my old 7-member (2337) but have had to fish part time for someone else

because I have no entry permit:

I want to make a living for myself & feel I can grow, that management has improved our in-shore fish run. To do this I need to have my "entry permit".

Please support House Bill # 665.

Sincerely

Harro Thiel
Alexander Creek.
A.K. 99695

HB665

Carl Chase

Alexander Creek
April 27, 1980

House of Representatives
State of Alaska

Alvin Osterback

Am writing you in regard to reopening
the application period for fishing
permits in Bristol Bay.

We fished the Bay beginning in
1948 thru 1972, full years, then in 1965,
1966, 1967, 1968, 1969, 1970 and 1972.

I held both drift and seinet licenses
and fished both alternately, in the years
1967 thru 1972 with 1971 being the
only year when I did not do any
drift netting.

I did not apply for a drift permit
for two reasons, first, I thought I
could make a living every year on the
beach seining, and didn't want to
afford the \$200 for the drift permit.

Since 1973 we've had a severely
curtailed season on the Kvichak
section every year since then.

except for 1979 when we were
allowed to fish the entire season
Even 1975 when we expected, and
had, a good run we weren't allowed
an opening on the Kuchok section
until the 6th of July, when the run
was at least half over. For the above
reasons I would like a chance to re-
apply for a drift gillnet permit so
I can continue to fish while the
Kuchok section is closed for some
reasons.

I thank you for proposing to
reopen the application period for
gillnet fishing permits in
Bristol Bay.

Respectfully,
Earl True
Alexander Creek
Alaska 99675

#####

PLEASE RELAY THE MESSAGES BELOW TO: REPRESENTATIVE ALVIN OSTERBACK,
CHAIRMAN OF THE HOUSE RESOURCES COMMITTEE AND ALL MEMBERS OF HOUSE
RESOURCES COMMITTEE

ALSO: REPRESENTATIVE NELS A. ANDERSON, JR., SENATOR GEORGE HOKMAN,
SENATOR CLEM TILLION, SENATOR BILL SUMNER, SENATORY BOB MULCAHY, AND
SENATOR JOHN SACKETT.

FROM: ARTHUR SHARP, CHRISTOPHER SHARP, HARRY MOORE, RAYMOND MOORE, AND
LOUIE SMALL, ALL FROM TWIN HILLS, ALASKA

MESSAGE: WE ARE IN SUPPORT OF HB665, THE LATE FILERS BILL THAT WAS INTRO-
DUCED BY REP. ANDERSON. THIS BILL WHICH WILL BE IN THE HOUSE RESOURCES
COMMITTEE TOMORROW IS ONE THAT WOULD HAVE A VERY GOOD EFFECT ON US IF IT
IS PASSED. THERE ARE SOME PEOPLE WHO WOULD BE ABLE TO OBTAIN A LIMITED
ENTRY PERMIT UNDER THIS BILL WHO ARE DEPENDENT UPON FISHING AS THEIR MAIN
SOURCE OF INCOME. WE HOPE THAT YOU WILL PASS THIS BILL.

#####

FROM: WALTER KUKU, SASSA KUKU, NICK SHARP, DORA NICHOLAI, AND JOHN SHAPP
TWIN HILLS, ALASKA

WE ARE IN FAVOR OF HB665, THE LATE FILERS BILL THAT IS BEFORE YOU IN
COMMITTEE. PLEASE VOTE IN FAVOR OF PASSING THIS BILL. THANK YOU.

#####

FROM: GEORGE PLEASANT, DANIEL SHARP, JOHN MARK, STELLA SHARP, AND WALTER
BOVILLA, ALL FROM TWIN HILLS, ALASKA

PLEASE VOTE FOR PASSING HB665 TO OPEN UP LIMITED ENTRY TO LATE FILERS.
THIS WOULD BE A GOOD THING FOR THOSE WHO CANNOT GET PERMITS BECAUSE THEY
WERE LATE IN FILING FOR PERMITS BEFORE.

#####

L

PLEASE RELAY THE MESSAGE BELOW TO:
REPRESENTATIVE ALVIN OSTERBACK, CHAIRMAN, HOUSE RESOURCES COMMITTEE AND
ALL MEMBERS OF THE HOUSE RESOURCES COMMITTEE

ALSO: REPRESENTATIVE NELS A. ANDERSON, JR., SENATOR GEORGE HOFFMAN,
SENATOR CLEM TILLION, SENATOR BILL SUMNER, SENATOR BOB MURPHY AND SENATOR
JOHN SACKETT

FROM: FERDINAND SHARP, NANCY SHARP, KATIE MOORE, GEORGE KUKU, ANDREW MOORE,
AND MARY KUKU, ALL FROM TWIN HILLS, ALASKA

WE URGE YOU TO VOTE FOR PASSING HB 665, THE ACT FOR LATE FILERS TO APPLY
FOR LIMITED ENTRY PERMITS. PLEASE PASS THIS VERY IMPORTANT BILL.

#####

FROM: TERESA MARK, SAM FULLMOON, NETTIE FULLMOON, TWIN HILLS, ALASKA

WE HOPE YOU WILL PASS THE BILL FOR LATE FILERS FROM YOUR COMMITTEE. WE
REALLY HOPE THAT HB665 WILL PASS FOR THE BENEFIT OF THOSE WHO DID NOT GET
THEIR LIMITED ENTRY PERMITS THE FIRST TIME AROUND, BECAUSE FOR SOME REASON
OR ANOTHER THEY WERE LATE. THANK YOU SO MUCH.

#####

LA32 2B73 14.50 JA01 0096 14.50 04/28/00

3

TO REP. AL OSTERBACK, SENATOR HONMAN, REP. PHIL GUY

FROM SAMUEL SNYDER
PO BOX 05
BETHEL, ALASKA 99559

I SUPPO.T HB 445 AND DO HOPE YOU DO TOO.

THANK YOU. \

LA32 1707 11.35 JA01 0036 11.35 04/29/80

TO JUNEAU INFORMATION FOR REP. AL OSTERBACK
FROM BETHEL INFORMATION FOR PHILLIP ALEXIE
BETHEL, ALASKA

RE: HOUSE BILL 665 - LATE APPLICATION BILL

I FISHED IN BRISTOL BAY FOR ALASKA PACKERS FOR 12 YEARS. I OWNED MY OWN BOAT AND GEAR. I QUIT FISHING AFTER THE 1972 FISHING SEASON. A LAWYER HERE IN BETHEL TELLS ME THAT IF I HAD APPLIED FOR A BRISTOL BAY LIMITED ENTRY PERMIT, I WOULD HAVE RECEIVED IT. SINCE I WAS IN JAIL DURING THE APPLICATION PERIOD, I COULD NOT FILL OUT AN APPLICATION. PLEASE MAKE HOUSE BILL 665 LAW, SO THAT I CAN GET A BRISTOL BAY FISHING PERMIT.

THANK YOU. \

LA32 2011 12.20 JAC1 0053 12.20 04/28/80

3

TO JUNEAU INFORMATION FOR REP. AL OSTERBACK, SENATOR HOHMAN, REP. PHILLIP
GUY

FROM BETHEL INFORMATION FOR GABRIEL ASICKSIK
PO BOX 34
BETHEL, ALASKA 99559 543-3591

RE: HOUSE BILL 665 - LATE APPLICATION BILL

I SUPPORT, AND HOPE YOU DO, THE LATE APPLICATION BILL FOR LIMITED ENTRY.
TO GIVE YOU MY CASE, I DID RECEIVE A LIMITED ENTRY PERMIT IN 1975 THEN IN
1976, WAS UNABLE TO FISH DUE TO VERY BAD HANDS, THEN IN 1977, WENT TO
RENEW MY PERMIT AND WAS TURNED DOWN. I HAD SENT THE COMMISSION MY MONEY
AND IT WAS RETURNED TO ME THAT SAME YEAR. I DO HOPE I WILL BE ABLE TO
GET MY LIMITED ENTRY PERMIT BACK AND WILL BE WILLING TO PAY FOR ALL THE
BACK RENEWAL YEARS THAT WOULD BE OWED ON IT.

THANK YOU AND FEEL FREE TO WRITE ME REGARDING THIS PROBLEM.

Cathlamet, WA 98612

February 15, 1980

Alaska State Legislature
House Resources
Juneau, Alaska 99811

Re: H.B. 665

Honorable Gentlemen:

I applied for a permit to fish in Alaska in 1977 and was denied and given 30 days to appeal in Superior Court, which I did and lost. I appealed to the Supreme Court, but on the basis of the Apokedak decision my attorneys deem it futile to proceed. They did, however, tell me about H.B. 665. I encourage you to pass it.

In my case I did not receive a notice of the Permit System.

I fished in Alaska from 1929 to 1942 when I was frozen on a job in a shipyard. In 1953 I went back and fished through 1970 when I came down with double lobar pneumonia and emphysema and was in and out of hospitals for the next four years. In 1976 I felt well enough to go fishing but was told it was closed. So in 1977 when it was opened for those who did not have enough points to qualify in 1974 and 1975 I decided to apply since I had more than the required amount of points. I was denied because I had not fished in 1974 and 1975. It was at this time I was given 30 days to appeal to the Superior Court.

In the case of the Treaty Indians vs. Washington State, the Federal Government sent out officials who served injunctions on each and every fisherman that held a license and I think that the Entry Commission could at least have sent notices by registered mail.

I hope you can find a way to solve some of the inequities involved as to the natives, residents, and non-residents that shall we say-"missed the boat".

May the legislature give every effort to pass H.B. 665.

Respectfully yours,

Britanus K. Vik
Britanus K. Vik

LAW OFFICES OF
ALASKA LEGAL SERVICES CORPORATION
P. O. BOX 181
DILLINGHAM, ALASKA 99576
TELEPHONE 842-5653

February 22, 1980

HB665

Alvin Osterback, Co-chairman
House Resources Committee
Alaska State Legislature
Pouch V
Juneau, Alaska 99811

Re: House Bill 665
Limited Entry-Late Applicants

Dear Representative Osterback:

I would like to take this opportunity to discuss the problem addressed by House Bill 665 prior to the tele conference hearing currently scheduled for March 3, 1980. This bill would establish a new application period for those persons who failed to submit an application within the time periods set for their particular fishery.

The reasons for the failure to apply in time are numerous and were by and large outside of the individual person's control. The chief reason was the lack of understanding by persons that there was an application period and that they were in fact eligible to apply. These problems were most prevalent in the rural areas of the state where people were isolated from the communications media and application assistance. Language difficulties posed a particular problem in those areas of the state (Bristol Bay and the Yukon-Kuskokwim area) where English is a second language.

This bill does not make any substantive changes in the Limited Entry Act, and the eligibility and point requirements would remain the same following passage. It would merely allow those persons who were originally eligible for a permit to now apply and receive that for which the law states they are otherwise qualified.

This legislation is important for a number of reasons. First of all, it is obviously very important to the individual person who now cannot pursue his or her chosen occupation. This is particularly poignant in the case of rural Alaskan residents who do not have other employment opportunities available to them. Secondly, it is important to rectify an injustice which resulted from the implementation of a radically new law.

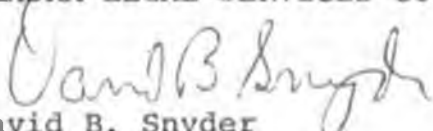
Alvin Osterback, Co-chairman
February 22, 1980
Page Two

Finally, this legislation would not have any appreciable effect on the condition of Alaska's fisheries. It would mean a very small increase in the number of permits in any particular fishery and the majority of these new permits would be issued to Alaskan residents who were least able to comply the application procedure for the reasons mentioned above.

I plan to present further testimony to your committee in Juneau on March 3rd. If you have any specific questions, or have need for further information, please feel free to contact me.

Sincerely,

ALASKA LEGAL SERVICES CORPORATION


David B. Snyder
Supervising Attorney

DBS:ml

cc: Representative Bill Miles
Co-Chairman, House Resources Committee
Alaska State Legislature
Pouch V
Juneau, Alaska 99811

House Resource Committee Members
Fred Zharoff
P t Carney
Samuel Cotton
Jack Fuller
C.V. Chatterton
Richard Eliason
Richard Halford

Representative Nels Anderson, Jr.
House Majority Leader
Alaska State Legislature
Pouch V
Juneau, Alaska 99811

Representative Terry Gardiner
Speaker of the House of Representatives
Alaska State Legislature
Pouch V
Juneau, Alaska 99811

HANIGAN & JOHNSON

Attorneys at Law
Hanigan Building

P. O. BOX 28 TEL. 206-795-3494
CATHLAMET, WASHINGTON 98612

GEORGE F. HANIGAN
FRED A. JOHNSON

February 25, 1980

Alaska State Legislature
House Resources Committee
Juneau, Alaska 99811

Re: HB 665

Gentlemen:

Adoption of House Bill 665 is respectfully urged.

We have referred several people to the Alaska Commercial Fisheries Entry Commission relative to what would have appeared to be great injustices committed by the Commission itself, including situations involving illness or disability.

The prior permit holders were not given notice in some instances, and inadequate notice in other instances. Additionally, our clients have written the Commission and have received no acknowledgment of receipt of the communications, and that has been the experience of this writer personally. When acknowledgment is belatedly made by the Commission, it then flips the coin by stating contact was not timely, totally ignoring earlier communication.

We are all aware that innocent mistakes, oversights, etc., exist. However, the citizenry may well be warranted in its belief relative to the Commission that it has intentionally "pigeon-holed" or "round filed" communications with citizens having business with it.

I am aware of the seriousness of this allegation, as I am myself an elected official, serving as Prosecuting Attorney for this County. I sincerely believe that the State of Alaska has by bureaucratic fiat deprived people of their property rights, accomplished not by reason of the law being incorrect, but rather

Continued Page Two:

February 25, 1980

Page Two

by administrative error, omission, oversight or other excuse to reduce workload.

I trust that these comments will be of assistance to you.

Very sincerely,

A handwritten signature in dark ink, appearing to read "G. Hanigan", with a large, sweeping flourish extending to the right.

George F. Hanigan

cc: Mr. and Mrs. William Fowler
Pamela L. Finley, Esq.

GFH/pm

LAW OFFICES OF
ALASKA LEGAL SERVICES CORPORATION
P O BOX 181
DILLINGHAM, ALASKA 99576
TELEPHONE 842 5653

MEMORANDUM

TO: House Resources Committee,
Nels A. Anderson, Jr.

FROM: Fred Torris/David Snyder

RE: H.B. 665 - Limited Entry Late Applications

DATE: March 3, 1980

A. The Problem

In 1975, a number of persons failed to file applications for limited entry permits. Most of these persons live in rural Alaska and cannot afford to purchase permits. So despite the fact that they had enough points to qualify for their permits, they cannot obtain them and are consequently forced out of the only occupation available, unless they can find employment crewing for someone else.

This situation was caused by many factors. The Commercial Fisheries Entry Commission provided application assistance which reached many people, but without such assistance those persons not literate in English had no chance of understanding the 8 page application and accompanying 41 page instruction booklet. In the villages of Bristol Bay, many people were not planning to fish because of the poor predictions for 1975 and didn't realize that a failure to apply would forever bar them from fishing. Older persons under the same misconception didn't apply while their daughters and sons applied but failed to qualify --leaving the entire family without permits.

Rural Alaskans were impacted the most by the application process because of their lack of sophistication and their geographical and cultural remoteness from Limited Entry. And those same persons, --who perhaps speak only Yup'ik and don't understand Limited Entry even today--are precisely the ones unable to purchase permits on the (inflated) open market. ¹

¹The continuing problems encountered by rural Alaskans are discussed in Dr. Langdon's report to the Limited Entry Study Group, January 17, 1980, see, e.g., pp 25-26, 49-54, 66-73; see also J. Anthony Koslow's (1980) report for the legislature "Limited Entry Policy and the Bristol Bay Salmon Fishermen,: recommendation #4 at p.22.

B. H.B. 665

House Bill 665 requires the Entry Commission to accept applications for another six months and to issue permits to those persons providing enough points under the regulations already in effect. It is clear that most of these people will be resident Alaskans and no one not eligible in 1975 will be made eligible by this law.

The bill is necessary because the Entry Commission does not think it has the authority to accept applications now and it hasn't accepted any (except for those in which Postal or Commission error was proved) since May 18, 1975. While some fisheries already have the number of permits originally authorized by the Commission, the "optimum number" has not been determined for any fishery and there is no evidence that the acceptance of late applications will adversely impact any of them. It may well be found that improved management techniques and the 200 mile limit have increased the number of returning salmon in Alaskan waters; if not, the Commission should commence with the "buy back" program already authorized by the legislature.

C. Commission Opposition

The Entry Commission on February 25, 1980, released its analysis of HB 665, suggesting that it not be passed or that it be substantially amended. The main thrust of its content was that there were so many persons entitled to permits that didn't get them, that serious effects on the existing program would result if applications were accepted now. The Commission also raises many administrative problems.

It is ironic that the Commission uses the magnitude of its own failure to oppose the attempt to resolve the problem. While no State monies are required to implement HB 665, it might be appropriate to consider a Commission request for funds to hire an additional person or two; it is certainly not appropriate to consider administrative inconvenience to the Commission on the same level as the hardship caused those men and women who failed to obtain the permit to which they were entitled by statute. (In today's market, the administrative cost does not amount to the value of even one entry permit in some fisheries.)

House Resources Committee
H. B. 665-Limited Entry Late Applications
Page Three

The Commission memorandum of last week is too lengthy to answer in detail here; but we ask that none of its conclusions be accepted without further discussion. For example, its methodology in estimating the number of entry permits which would be issued as a result of this bill is flawed by two basic assumptions: (1) that the set of persons who failed to apply have identical (statistically) characteristics of past participation and economic dependence as those who applied in 1975 and (2) that everyone who failed to apply in 1975 would apply in a new application period. Neither assumption is valid and the estimates of new permits made in the report are twice as high as can actually be expected.

We remain available at the above phone number to discuss HB 665 with any interested legislator.

Feb. 26th 1980

R.E. House Bill 665
Limited Entry Late Applicants

Dear Mr. Alvin Osterback

I can't make it to the hearing in
Dillingham March 3rd so I'm writing
to let you know that I would like to
House bill is passed.

I made a late application for
my set net permit and hope to get
it if the bill is passed. Please vote
for the bill

Wick Abaloma Sr.
P.O. Box 58
Egeqik, Alaska 99579

LOREN DOMKE
ATTORNEY AT LAW
P.O. BOX 1216
JUNEAU, ALASKA 99802

TELEPHONE (907) 586-1102

March 5, 1980

The Honorable Alvin Osterback
and the Honorable Bill Miles,
Co-Chairmen
House Resources Committee
Pouch V, State Capitol Building
Juneau, Alaska 99811

Re: H.B. 665

Dear Representatives Osterback and Miles:

I have been asked by clients, some of whom are your constituents, to propose an amendment to the late applications bill. My clients are not late applicants, but are fishermen who have submitted timely applications but have not had their qualifications for an entry permit thoroughly reviewed by the Commission. Their problem is that they have not made timely requests for an administrative hearing or have not timely submitted evidence supporting point claims under the regulations. H.B. 665 as it now reads does not apply to such individuals.

For this reason, we would like to see the addition of one change in the bill which would permit their applications to be evaluated in the same manner as those of late applicants. We suggest the inclusion on page 2, line 7 after the word "evidence" of one sentence to read:

"Persons who have previously submitted applications may raise new issues under the regulations and may submit supporting evidence and shall have their applications reviewed in the same manner as individuals who initially failed to apply but meet the eligibility requirements of AS 16.43.260(a)."

This single amendment in the bill would not contribute significantly to the workload of the Commission's applications processing staff and would insure that all fishermen received

a thorough and impartial review of their qualifications for a permanent entry permit. Your consideration of this amendment is greatly appreciated.

Yours very truly,

Loren Domke

Loren Domke

LD:b1d

... I have been ...
... I have been ...
... I have been ...

... I have been ...

... I have been ...
... I have been ...
... I have been ...

... I have been ...

... I have been ...
... I have been ...
... I have been ...

*sent to Harry Hoover
3-18-80*

Information copy

... I have been ...



STATE OF ALASKA
LEGISLATIVE INFORMATION OFFICE

Dillingham

*For your files on
HB 665 - Late Filers Bill*

*We are pleased to send the enclosed material in
response to your recent request.*

Dorothy A. Larson.....

STATE OF ALASKA
THE LEGISLATURE

LEGISLATIVE AFFAIRS AGENCY

Regional Information Office

Pouch 229

Dillingham, Alaska 99576

HB 665

March 4, 1980

Representative Al Osterback,
Chairman, House Resources
House of Representatives
Pouch V
Juneau, Alaska 99811

Dear Representative Osterback:

Enclosed are copies of letters written to Representative Nels Anderson that were read into the record at the public teleconference on HB665 yesterday for your record.

Also enclosed is a copy of a resolution from the Bristol Bay Native Association that they ask that I telecopy you today to include in the record for public testimony on HB665. I have just telecopied this resolution to your office via the Juneau Information Office.

Enclosed is a copy of all the participants in yesterday's public teleconference.

I would like to thank you for taking the time to make sure that all our witnesses were heard from Bristol Bay since many of them were here from villages in the outlying area as far away as Egegik and Nondalton. They expressed their appreciation in being heard, too.

This teleconference was quite fascinating to people who had never participated in one before. It was aired live over the local radio station KDLG which you know reaches down to your neck of the woods as well as most of Bristol Bay.

We had at least 50 people here in my office which comfortably holds 20 people, so you can imagine the crowd.

Sincerely,

Dorothy M. Larson
Dorothy M. Larson

February 26, 1980
Manokotak, Alaska
99628

Gale Anderson, Jr.
House of Representatives
Pouch - 7 Capital
Juneau, Alaska 99811

Dear Representative Anderson:

I would like to testify for support of House Bill 669. I feel it will alleviate some of the unemployment in the Bristol Bay Area.

I have been set netting on Igushik Beach in the Bristol Bay Area for seventeen years. (1963 - 1979) Netting during the summer months has always been my only income and the only work I can do.

I am unable to fish my set net area during the summer months only because my application was filed late.

It has been a hardship not being able to have a limited Entry Permit because my family can't things they most need and also I am now without employment both during the summer and winter. In Manokotak, where I have lived most my life, jobs are not only few.

Sincerely yours,

Anusha Kusnetz

Anusha Kusnetz

February 14, 1966
Anchorage, Alaska
99501

Val Anderson, Jr.
House of Representatives
Couch 1 - Capital
Juneau, Alaska 99811

Dear Representative Anderson:

I would like to state my disapproval of House Bill 65. I feel House Bill 65 is a step in the wrong direction for the things that belong to the nation.

I am 64 years old and I have been a resident of Alaska since 1960. It is seven years since I have been in the United States. I could not file a bill because I am not a citizen.

I had a letter from you in the mail before I left. I am sorry that I have not been able to file a bill since I have been in Alaska. I have been on fishing all my life.

Sincerely,
[Signature]

Bill 100

February 26, 1966
Nenoksook, Alaska
99622

Walt Anderson, Jr.
House of Representatives
Pouch V - Capital
Juneau, Alaska 99811

Dear Representative Anderson:

I would like to testify to urge passage of House Bill 665. I feel House Bill 665 would help clear up some of the problems with limited entry.

I have fished most of my life as a fishing partner and have fished as a net net gear holder. (1964 and 1965) and fishing in the Bristol Bay has been my only source of income. Being awarded a permit would give me back my traditional summer job. Not having a job it has caused a hardship because I am unable to get net anymore.

I didn't file my permit because I didn't know about limited entry until that next year, which was too late.

Sincerely yours,

Earl G. Goto

BRISTOL BAY NATIVE ASSOCIATION
P.O. Box 189
Dillingham, Alaska 99576

BOARD EXECUTIVE COMMITTEE

RESOLUTION NO. 80-11

WHEREAS, many rural residents of the State of Alaska, in particular the Bristol Bay region have not received limited entry permits for which they were otherwise qualified, solely because of their failure to submit timely applications to the Commercial Fisheries Entry Commission; and,

WHEREAS, the individual persons failure to submit a timely application was due to factors beyond his or her control: namely, the lack of understanding by such individuals of their rights under the Limited Entry Act and of the need to submit an application or be forever barred from pursuing their livelihood; the shortness of the application period; the geographical remoteness of the communities in which such individuals lived from the centers of communication and application assistance, and the misinformation prevalent concerning the standards of eligibility for limited entry permits; and,

WHEREAS, these individuals are now prevented from participating in one of the few only occupations they have known, or that is available to them in their community; and,

WHEREAS, the State of Alaska has an obligation to rectify the injustice caused by the implementation of the Limited Entry Act,

NOW THEREFORE BE IT RESOLVED that the Bristol Bay Native Association supports House Bill 663 and the establishment of a new application period for limited entry permits.

SIGNED

William P. Johnson
President

William P. Johnson

CERTIFICATION:

I, the undersigned secretary of said Association, do hereby certify that the Executive Committee is composed of 10 members, of whom 6 were present at a meeting this 27 day of February, 1980, and that the foregoing resolution was adopted by the affirmative vote of 6 members.

SIGNED

SECRETARY
Joseph L. Clark

BRISTOL BAY NATIVE ASSOCIATION

P.O. BOX 179
DILLINGHAM, ALASKA 99571
PHONE (907) 842-257

MEMORANDUM

TO: House Resources Committee

✓ Rep. Alvin Osterback, Co-Chairman
Rep. Bill Miles, Co-Chairman
Rep. Fred Zharoff, Vice-Chairman
Rep. Pat Carney
Rep. Samuel Cotton
Rep. Jack Fuller
Rep. C. V. Chatterton
Rep. Richard Elarton
Rep. Richard Lifford

FROM: Fred S. Anderson, Executive Director

DATE: March 14, 1980

Re: Late Filed Resolution

Dear Mr. Chairman, Members of House Resources Committee:

Enclosed is a resolution, #0-11, passed by the Bristol Bay Native Association Executive Committee at a regular monthly meeting held on February 20th & 28th, 1980.

Resolution is self-explanatory, therefore does not require further explanation.

FTA/mff

cc: Neils A. Anderson, Representative
Terry Gardner, Speaker of the House
Clem Tallon, President of the Senate

Enclosure: Resolution #0-11 - Late Filed Resolution of February 20th & 28th, 1980

BRISTOL BAY NATIVE ASSOCIATION
P.O. Box 182
Dillingham, Alaska 99576

EXECUTIVE COMMITTEE MEETING

RESOLUTION NO. 2-1

WHEREAS, many rural residents of the State of Alaska, in particular the Bristol Bay region have not received limited entry permits for which they were otherwise qualified, solely because of their failure to submit timely applications to the Commercial Fisheries Entry Commission; and,

WHEREAS, the individual persons failure to submit a timely application was due to factors beyond his or her control; namely, the lack of understanding by such individuals of their rights under the Limited Entry Act and of the need to submit an application or be forever forced from pursuing their livelihood; the shortness of the application period; the geographical remoteness of the communities in which such individuals lived from the centers of communication and application assistance; and the misinformation prevalent concerning the standards of eligibility for limited entry permits; and,

WHEREAS, these individuals are now prevented from participating in one of the few only occupations they have known, or that is available to them in their community; and,

WHEREAS, the State of Alaska has an obligation to rectify the injustice caused by the implementation of the Limited Entry Act,

NOW THEREFORE BE IT RESOLVED that the Bristol Bay Native Association supports House Bill 665 and the establishment of a new application period for limited entry permits.

SIGNED _____

President

CERTIFICATION

I, the undersigned secretary of said Association, do hereby certify that the Executive Committee is composed of _____ members, of whom _____ were present at a meeting this _____ day of February, 1980, and that the foregoing resolution was adopted by the affirmative vote of _____ members.

SIGNED _____

SECRETARY

3604 0904 10.07 JAC1 0011 10.07 03/06/00

9/13

MEMBERS OF HOUSE RESOURCES:

- ✓ REP. OSTLBACK
- REP. MILES
- REP. ZHAROFF
- REP. CARNEY
- REP. COTTON
- REP. FULLER
- REP. CHATTERTON
- REP. ELIASON
- REP. HALFORD

Mary

FR: G. KELVIN KAMBAK
BOX 426
SITKA, AK. 99835
RE: LIMITED ENTRY

1. WHILE DISCUSSING LIMITED ENTRY PLEASE CONSIDER MY OPTIONS:
 - LICENSES ARE FOR HARVESTING RESOURCES BELONGING TO ALL ALASKANS
 - PERMITS SHOULD FIRST BE AVAILABLE TO PRESENT AND FUTURE ALASKANS
2. TO INSURE WE HARVEST THIS RESOURCE I SUGGEST:
 - ALL PERMITS SHOULD BE RETURNED TO THE STATE WHEN THE HOLDER LEAVES FISHERY
 - PERMITS TO BE REISSUED BY LOTTERY. WEIGHTED CONSIDERATION FOR APPLICANTS: TEN YEAR RESIDENT RECEIVES TEN CHANCES, TWENTY YEAR RESIDENT RECEIVES TWENTY CHANCES
 - NUMBER OF PERMITS ADJUSTED TO BENEFIT RESOURCES, PERMIT HOLDER
3. THANKS FOR THE CONSIDERATION. KEEP UP THE GOOD WORK.

SIGNED
G. KELVIN KAMBAK

OK

KENNETH R. HAMM

ATTORNEY AT LAW

P.O. Box 1243
Bethel, Alaska 99559
(907) 543-2385

March 5, 1980

Mr. Bill Miles
Mr. Alvin Osterbach
Co-Chairmen
House Resources Committee
Alaska House of Representatives
Pouch V
Juneau, Alaska 99811

FE: HB 665

Dear Mr. Miles and Mr. Osterbach:

I'm an attorney in Bethel who has worked with limited entry problems in the fishery service area for the past three and a half years, first as an attorney with Alaska Legal Services, and now with Nunam Kitlutsisti. I would like to take this opportunity to make some very brief comments on HB 665.

HB 665 is a very narrow bill aimed at a specific problem: persons who have enough points to obtain a permit but failed to apply in a timely fashion. It is my understanding that the Commission is claiming that the passage of such a bill will result in a flood of new permit holders which will overcrowd the fishery. My experiences do not lend credence to this assertion. During the past three and one-half years I have spoken with approximately 250 individuals concerning the problems they have had with limited entry permits. Out of that number only 10 or 15 would receive permits if a new application period were opened. Although the Commission might expect numerous applications if such an application period were opened, I do not believe that the administrative problem which this would create justifies the continued denial of permits to persons who have enough points but failed to apply in a timely fashion.

These persons who had enough points but failed to apply on time were not at fault. There seem to be two classes of persons who failed to apply on time. The first class consists of individuals who were not physically present in the area during the application period and had no knowledge of the limited entry system or application period until it was too late. The reasons for such absence are varied: military service, higher education, and incarceration are but a few. The second class of such individuals are generally older, fail to understand English, and are culturally and geographically isolated from the Commission's chain of paperwork. Both classes of individuals were long-time commercial fishermen who depended upon the industry for their income and will suffer severe financial hardship if they continue to be excluded from the fishery. I can see no rational justification for continuing to exclude this handful of individuals from the fishery.

Mr. Bill Miles and Mr. Alvin Osterhach

3/5/60

Page 2

The one concern which I have about HB 665 is that it does not go far enough. The bill would simply open a new application period. The bill does not guarantee that persons with sufficient points will receive permits since they are still required to apply for a permit. Needless to say, many of the reasons that persons failed to apply during the original application period, such as linguistic differences, cultural and geographical isolation, and distance from the State, continue to the present day, and it might be expected that these reasons will continue to frustrate the smooth flow of paperwork. Consequently, I recommend that the bill contain a provision that simply requires the Commission to inspect its records and automatically issue permits to those persons with a sufficient number of points. Such a provision would insure that the problem which the bill seeks to address is actually corrected.

In the absence of such a provision, the bill should require a lengthy application period (at least one additional year) coupled with strong outreach requirements insuring that persons with sufficient points are notified by the Commission of the new application period and informed that they appear to qualify for a permit.

Sincerely,

Kenneth R. Ham

Kenneth R. Ham
Attorney at Law

cc: Mr. Anderson
Mr. Gardner
Mr. Tiller
George Kilgus

Wm March 4, 1980

Dear Mr. Starbuck.

HB 665

I am writing to you in the support of the house bill 665. This bill must pass & I hope it does for the sake of us Alaskan Fishermen. We have fished all our lives in Alaska until they came out with this limited entry hogwash. How many of us Alaskans that depend on seasonal fishing - to support our families, must look elsewhere for odd jobs which hardly pay to support a family, and most of us fishermen in Alaska are not skilled in most good paying jobs - to support our families.

Sincerely yours
Ruben Lincoln
White Mt. Alaska
99784

~~Surge~~
Please
take up

John Westcott
Box 36
Ukhnagih, ak. 99155
7- mar. 1980

A. Peterbuck,
Chairman, Alaska Resources
Panel
Juneau, ak. 99801

Dear Mr. Peterbuck,
I understand they had a
meeting in Dillingham Mar. 3rd
about permit. I didn't go to that
meeting cause I was hauling mail
from Ukhnagih to Dillingham then
back to Ukhnagih. I had history
of Commercial license back in 1958,
1960, 1961, 1962, 1963, 1964, 1965,
1966, 1967, 1968, 1969, 1970, 1971,
1972, 1973, ~~1974~~ 1975, 1976, 1978,
1979, but did not fish in 1974
cause I was working for Queen
Fisheries in Seattle. I know I filled
out application for permit in 1974 but
didn't get enough points for permit.
In 1967 I fished in Chignik area
in 1958 or 1967 I fished with my
older brother he put then I
→

II

fished myself at ^{the} end or latter part of the season at least two weeks using a company boat. In 1960 right up to 1979 I fished with my father (Earl). I've been trying, trying get my permit. I went to Alaska Legal Services office in Aly. about permit they had told me about having a meeting in Aly. Mar. 3rd to testify for a permit eventually I didn't go to the meeting they had in Aly. I hopefully fill out another application for a permit.

Sincerely,
John Westmont

Alvin Osterback, Co. Chairman
House Resources Committee
Alaska State Legislature
Pouch 1
Juneau, Alaska 99811

Mar 13, 1980

Dear Mr. Osterback

I support House Bill 665
Cause. when the Limited Entry
Permit came in and when I had to
go to work out of town, and I
had my wife take the application
to Alaska Legal Service, and they
told me I didn't have the points
and they told me not to send in
my application in, so she didn't.
and when I got home from out
of town. she told me and I was
late, and then I have sent in my
application in Juneau. couple of
times, and I get the same answer
all the time, and now that I am
back where I was born, and want
to live here, since most of my
children are on their own, and
the wife want to live here.
over

I have a hard time to make a
living, since she dont want me to
leave here for months at a time,
and that what it takes if I have to
work for wages. but if I could
fish most of the time. I wont
be gone over six weeks then I
would be home with her, and the
two children that is still home
with us.

Sincerely yours,
Vincent Roche

LA34 1562 12.58 JA01 0052 12.58 03/18/80

For

TO JUNEAU
FROM DILLINGHAM

PLEASE RELAY THE TWO MESSAGE BELOW TO REPRESENTATIVE ALVIN OSTERBACK,
CHAIRMAN OF HOUSE RESOURCES COMMITTEE TO BE PRESENTED AS TESTIMONY
ON HOUSE BILL 665, LATE FILERS BILLS

FROM: GEORGE SMITH, BOX 36, TOGIAK ALASKA

I'M SORRY I CAN'T MAKE IT FOR THIS HEARING. I HAVE NO WAY OF PAYING
MY FARE OVER TO DILLINGHAM AND BACK. I WOULD LIKE TO APPLY FOR A PERM
IT.

I CAN'T SPEAK ENGLISH OR WRITE. (THIS MESSAGE WAS TAKEN BY DAVID SNYD
ER,
ALASKA LEGAL SERVICES FROM GEORGE SMITH)

FROM: PAT KOHLER, JR., ALEKNAGIK, ALASKA

I WAS WORKING ON THE PIPELINE IN 1975. I NEVER GOT ANY PAPERS FROM
JUNEAU FOR MY PERMIT. I HAVE BEEN FISHING SINCE 1963, BUT ONLY AS A
PULLER SINCE I CAN'T GET MY PERMIT. I WANT THE LEGISLATURE TO PASS TH
E
LAW SO I CAN APPLY FOR MY PERMIT.

Juneau L.I.O.

Please give a copy to the following Legislators:

Osterback
Miles
Zharoff
Parney
Cotton
Gardiner

Fuller
Chatterton
Ellason
Halford
Anderson
Tillion

From Bethel

March 3, 1980

Dear People,

My name is Joseph A. Therchik and I am a fisherman for many years starting from when I was a young man.

My problem is this, when the deadline came around for applying for permits I was away from home attending training. I heard nothing about this deadline until I returned home to fish in 1976 and the deadline had passed by then. I tried to apply even though it was late but was denied because the deadline had passed.

I am in favor of this House Bill 665 and feel it should be passed so that people as myself who missed the deadline can get their permits and make a living. If I got my permit I would fish it and this would help me with my many bills as I support my parents.

THANKYOU,

Joseph A. Therchik
JOSEPH A. THERCHIK

RESOLUTION NO. 80-10

**A RESOLUTION SUPPORTING HOUSE BILL 665 AND
THE ESTABLISHMENT OF NEW APPLICATION PERIOD
FOR LIMITED ENTRY PERMIT.**

WHEREAS, many rural residents of the State of Alaska, including the Yukon-Kuskokwim Delta region have not received limited entry permits for which they were otherwise qualified, solely because of their failure to submit timely applications to the Commercial Fisheries Entry Commission; and,

WHEREAS, the individual persons failure to submit a timely application was due to factors beyond his or her control: namely, the lack of understanding by such individuals of their rights under the Limited Entry Act and of the need to submit an application or be forever barred from pursuing their livelihood; the shortness of the application period; the geographical remoteness of the communities in which such individuals lived from the centers of communication and application assistance, and the misinformation prevalent concerning the standards of eligibility for limited entry permits; and,

WHEREAS, those individuals are now prevented from participating in one of the few or only occupations they have known, or that is available to them in their community; and,

WHEREAS, the State of Alaska has an obligation to rectify the injustice caused by the implementation of the Limited Entry Act,

NOW, THEREFORE, BE IT RESOLVED that the Lower Yukon/Kuskokwim Agriculture Association supports House Bill 665 and the establishment of a new application period for limited entry permits.

DATED: 2-28-80

James R. Charles
Vice-President

LA61 3995 17.18 JA01 0089 17.18 03/25/80 4

TO: SENATOR BOB MULCAHY
TO: REPRESENTATIVE FRED ZHAROFF
TO: ALL MEMBERS OF THE HOUSE RESOURCES COMMITTEE
Chairmen

AN EMPHATIC YES FOR HOUSE BILLS 665 AND 808. I AM PERSONALLY ACQUAINTED WITH RESIDENT FISHERMEN SUFFERING HARDSHIPS BY PRESENT LIMITED ENTRY RESTRICTIONS, FROM FALSE PASS TO KETCHIKAN. MYSELF INCLUDED. LET US OLD TIMERS GET BACK INTO FISHING ALASKA.

HAROLD BUMPH
BOX 1215
KODIAK, AK. 99615

LA61 4032 17.30 JA01 0091 17.30 03/25/80 4

TO: SENATOR BOB MULCAHY
TO: REPRESENTATIVE FRED ZHAROFF
TO: ALL MEMBERS OF THE HOUSE RESOURCES COMMITTEE
Chairmen

SIRS:

I WOULD LIKE TO GO ON RECORD OF SUPPORTING HB'S 665 AND 808. THE PAST BILLS WERE TO HARD ON OUR PEOPLE AND THERE SHOULD HAVE BEEN MORE WAYS FOR OLD-TIMERS OF THIS STATE TO QUALIFY FOR A PERMIT - LET'S TAKE CARE OF OUR OWN PEOPLE FIRST. BEING A 32 YR. RESIDENT THESE BILLS ARE OF IMPORTANCE.

YOURS TRULY,
ANTHONY PEREZ
BOX 6
KODIAK, ALASKA 99615 \

LA61 4047 17.34 03/25/80 JA01 0001 07.36 03/26/80 4

TO: SENATOR BOB MULCAHY
TO: REPRESENTATIVE FRED ZHAROFF
TO: ALL MEMBERS OF THE HOUSE RESOURCES COMMITTEE
Chairmen

I BOB ALDRICH, DIRECTOR OF COUNSELING FOR THE KODIAK COUNCIL ON ALCOHOLISM WISH TO EMPHATICALLY ENDORSE HOUSE BILLS 665 AND 808. DURING MY FOUR YEARS IN KODIAK I HAVE BEEN OVERWHELMED BY THE INJUST AND BLATENT DISCRIMINATION USED IN ISSUING LIMITED ENTRY PERMITS.

I FEEL THAT IT IS HIGH TIME TO LET "ALASKAN FISHERMAN" FISH IN ALASKAN WATERS.

SINCERELY,
BOB ALDRICH
KODIAK, ALASKA 99615 \

Dear Mr. [unclear]
The [unclear] [unclear] [unclear]
[unclear] [unclear] [unclear]



MAIL ROOM
AFTER FIVE DAYS RETURN TO
[unclear] [unclear] [unclear]

NOTE

Thank you very much
I miss McLaughlin

Dear Sir
I am writing to respectfully ask
for the passage of Bill RE H B 665 that
is coming up for vote. A lot of people from
the our have a lot of state with the Bill.

Forgiveness, work

HB 665

CITY OF TOGIAK
TOGIAK, ALASKA
RESOLUTION NO. 01

AB 665

A RESOLUTION SUPPORTING HOUSE BILL 665 AND
THE ESTABLISHMENT OF NEW APPLICATION PERIOD
FOR LIMITED ENTRY PERMIT.

BE IT RESOLVED IN SUPPORT OF HOUSE BILL 665 THE CITY
COUNCIL AND RESIDENTS OF TOGIAK, ALASKA HEREBY STATE
THE FOLLOWING:

WHEREAS, many rural residents of the State of Alaska, including
the Bristol Bay region have not received limited entry
for which they were otherwise qualified, solely because of
their failure to submit timely applications to the Commercial
Fisheries Entry Commission; and,

WHEREAS, the individual persons failure to submit a timely ap-
plication was due to factors beyond his or her control: namely,
the lack of understanding by such individuals of their rights
under the Limited Entry Act and of the need to submit an appli-
cation or be forever barred from pursuing their livelihood; the
shortness of the application period; the geographical remoteness
of the communities in which such individuals lived from the
centers of communication and application assistance, and the
misinformation prevalent concerning the standards of eligibility
for limited entry permits; and,

WHEREAS, these individuals are now prevented from participating
in one of the few or only occupations they have known, or that
is available to them in their community; and,

WHEREAS, the State of Alaska has an obligation to rectify and
injustice caused by the implementation of the Limited Entry
Act,

NOW, THEREFORE, BE IT RESOLVED that the Togiak City Council
and residents of Togiak supports House Bill 665 and the
establishment of a new application period for limited entry
permits.

APPROVED this 4th day of March, 1980

Andrew Franklin
President

ATTEST:

Anuska T. Barilla
Secretary

Residents

David B. Navabook
Pellie Blue

William P. Casperhook
Henry L. Lavin

Residents:

Togiak Alice H. Peters
 Togiak
 Togiak
 Togiak
 Togiak
 Togiak
 Togiak
 Togiak
 Annie Kambojak
 Mrs. Wessell
 Togiak
 J. K.
 Helen M. Tukaya
 Henry M. Davilla
 Togiak
 Togiak
 Togiak
 Togiak
 Togiak
 Togiak

Lucy Mark
 Emma Ayojak
 Nancy Ewart
 Willie J. Ayojak
 David A. Ayojak
 Robert Ayojak
 Annie Kitz
 Annie Goss
 Alfred Henry
 Twilley Goss
 William K. Soper
 William Goss
 Joe Alexie
 Edna Goss
 Elona Welym
 Henry Tukaya
 Harry H. Moore
 Togiak
 Togiak
 Elona Goss
 Martha Goss

Residents:

Sam Gesuk (if Tog.)	Frank Logusak Tog
Nellee Park (Togink)	Fannie Logusak Togah
Bruce Parian	Togink
Edwin And	Togink
Martha Aposik	Togink Ak
George Akandysak	Togink Alaska
Paula Seak (Dritt Permit Schone permit)	Togink
Walter Kuba	Togink
Walter Walter	Togink
Robert Mikota	Togink
Samuel Bl	Togink
Jill J Brilla	Togink
Harry H Moore	Togink
Conrad J Dukaya	Togink
Louis Dyasak	Togink
Andrew Dyasak	Togink
Annika Dyasak	Togink
Samson Dyasak	Togink
Martha Eckert	Togink
Willie Eckert Sr	Togink

Residents:

Teddy Cooperick

Natalia Cooperick

John Cooperick

Joseph Nick

Ted P. Smith

Oliver J. Sutton

Moses Nick

Mary Nichola

Annie Blue

Billy Blue

Wasilia Kuchchuk

Frank P. Future

Mary K. Pictine

John Moore

Erin Logusak

Dave Markoff

John H. Paulin

Samson Nyozak

X Annie Nyozak

X Mary Kuchuk

Togalak A.K.

Togalak -

Togalak H.K.

Togalak, AK

Togalak, AK

Togalak, AK

Togalak

Togalak, AK

Togalak

Togalak a a

Togalak H.K.

Togalak, AK

Togalak H.K.

Trina Hill

Togalak, AK

Togalak AK

Togalak, Alaska 99618

Togalak, Alaska 99618

Togalak, Alaska 99618

Togalak

Residents:

NAME

2 -

Anuska Ayojak

Toqiak

Nelen Rickelai

Toqiak

George Smith Sr

Toqiak

Charlie Kozarik

Mulla Kramme

Toqiak

Margaret Wassili

Toqiak

Jora E Konukprok

Toqiak Alaska 99678

Mary Ann Wassili

Toqiak, Ak 99678

Clara J Andrews

Toqiak 99678

Herbert Lockuk

Toqiak 99678

Elizabeth Sukaya

Toqiak, ak 99678

John Nel

Toqiak Ak 99678

George Toqias

Toqiak

Benny Atakittig

Toqiak

Stan L. Smith

Toqiak ak 99678

Nelle Rickelai

Toqiak

Evel Kammie

Toqiak

Harley Brown

Toqiak

Joshua Andrew

Toqiak

Louis Dyaruk

Mary

Alvin Osterback
 House Resources Committee
 Alaska Legislature
 Juneau,

Apr 19, 1982

Dear Mr. Osterback

I have set net(s) in Cutbank in South Naknek since 1959. I have fished every year since ~~1959~~ 1959 except for one year in 1972.

When I went to get my permit, the guy who was helping fill them out said if I didn't fish in 1972 I couldn't get my permit. When he told me this, I didn't try to apply for my permit.

Since I'm taking care in, I have been fishing with my mother. I would like to fish my own set net so if I could get my permit. I hope I can apply for my permit again.

I live in Newdale, Alaska and have lived here since I was born in 1942.

Elma Nettles

14 April 1980

Dear; Rep. Osterback

I am writing to let you know that I am in favor of the late files bill # HB665.

I was born and raised in Bristol Bay and fishing was my only income. I went onto the marine corps, and was not informed about the limited entry and nothing was sent to me. When I got discharged I could not fish with my own boat like I planned.

I am trying to get a permit under this bill, with the help of Alaska legal services.

Many people in this area support this bill.

Andrew O. Peterson Jr

April 17, 1980

Dear Mr. Alvin Osterback,

I am writing in regards to the bill to open a new application period for limited entry permits.

It is important to me and my family that we have a permit since I have a family of four and plan to increase in the future. And what my husband makes being a crew member isn't enough to provide sufficiently for the year. We have to ask for subsistence from another source during the winter months to get our food, clothing, and fuel.

The reason I didn't apply for the permit when other people were first applying, I was away in school out in Oregon. Since then I married and have a family of four.

It's been six years we've been living here and there, living with

people. We're trying to get settled
but it's hard not having a permit.
And wanting a home for us.
We need a permit very bad.
Having one will help us get
what we need.

Thank You,

Sincerely,

Mr. Mrs. Paul Panamarioff
Koliganek, Alaska
-99576-

Right now we are living with people in
Dillingham. Hopefully we'll be moving
to Koliganek after fishing if my husband
makes enough to build a small house.

Helen M. Chythlook
Box 11
Dillingham AK 99577

April 17, 1980

Alvin Osterback
House Resources Committee
Pouch V
Juneau AK 99811

Mary

RE: H.B. 665 - Late Applications
for Limited Entry Permits

Dear Mr. Osterback:

I am writing to you because I support H.B. 665 - Late Applications for Limited Entry Permits Bill. I was denied the privilege of getting my Limited Entry Permit because the Limited Entry Commission said I applied too late. So, I have been using my mother's permit to commercial fish salmon.

Since fishing is my main occupation, I would like to get my own permit, so that I can transfer mom's permit back to her, and be satisfied with myself of owning my own permit.

I only work on C.E.T.A. eligible jobs, when they're available, but at \$700.00 a month take-home-pay, that's not very much. The C.E.T.A. monies that I earned have all been "eaten-up" by monthly living expenses. Especially here in Dillingham, house and apartment rents range from \$550.00 - \$1,000.00 a month. This does not include utilities and heating expenses, or for food, clothing expenses. If it were not for my partial dependance on subsistence foods, I don't think I would make it financially.

It's tough living in small towns and villages. I'm sure you already assume that. A lot of the Native people here in Bristol Bay also use bush airplane taxis to get around and they are all charter rates. We need the fishing money we earn to survive, both financially and economically.

Let me give you a sample village Native family so that you can visualize what village living is really like. Most of the Native persons who were denied permits parents are older, the approximate age of their parents are between 50 to 65 plus. The Native parents, who were never educated, except to 4th grade, live mainly on subsistence foods, such as: salmon, wild berries, wild greens in the summer; moose, late wild berries, fish, ducks in the fall; trout, pike fish, ptarmigan, stored berries, seal in the winter and spring. The parents are getting some monthly public assistance funds from the State--Old Age Benefits, which varie, an approximate amount received per month for both parents could be \$400.00 a month, if the parents are eligible.

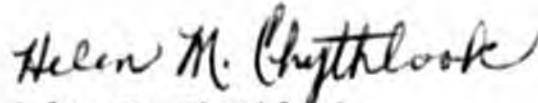
Alvin Osterback
House Resources Committee
April 17, 1980
Page Two

This Old Age Benefits is the older Native parents monthly income. Again, this money goes for living expenses, such as stove oil, gas, and bush plane fares, as well as food expenses. Could you stretch \$400.00 a month on all that with 6 children to feed and clothe and still meet your living expenses?

The above example, is a typical village lifestyle for most of the way the Natives of Bristol Bay life.

Therefore, I strongly urge you to pass the House Bill 665 - for Late Applications for Limited Entry Permits, for us Alaska Natives who did not get Limited Entry Permits, and feel that something has been taken out from us, the right to salmon fish in our own Bristol Bay waters with the pride that we will have cash for the harsh winter, after the salmon season closes.

Sincerely,



Helen M. Chythlook

cc: Fred Torresi, Attorney, Dillingham
Dave Snyder, Alaska Legal Services

HB 665

April 16, 1980

From: Gilly Jacko
Pedro Bay (907)793-8001
Alaska 99647

Subject: H.B. 665-Late Applications for Limited Entry Permits.

To Whom It May Concern;

Dear Sir's,

I want to apply for a limited entry permit. I live in a small village of Pedro Bay Alaska. I have tried to get my permit for several years now, but to date I have not. I fished for Red Salmon cannery for about Ten years. I also fished for Alaska Packers for over Twenty years. I am an old man, but I have lots of children, We live from fishing, I raised my whole family from fishing. I and my family need the chance to live like other people, with a permit. With a permit in the family we can live again, my children are fisherman but without a permit, I had a fishing license before that, the same year it went to limited entry, nobody let me know about it, nobody came here and told me that it went to limited entry. The next year after that we had a fire in the house, and my old licenses were burned up in that fire, then I had nothing to show that I had over thirty years of fishing in Bristol Bay. I tried since then to get my permit but its hard for me because I need somebody to help me. The fact is that the reason I did not know to apply for a permit when people were first applying is that I did not know about it, nobody told me you had to apply for it, then that year I went fishing, they said I could not, because I needed that permit, and I have been trying for it since then, but to no progress. If I get my permit, I will not sell it to anyone, I will keep it in my family, for me and Momma, for my Sons, for us to use like we did before in raising our families. I have lots of grandchildren that there papas could work for me for percentage of the catch,. I and my wife, my sons and my son-in-laws, not to mention all my grandchildren need that permit, we make our sole living from fishing, our life is based on fishing, Please help us, we need to live good again, like other people are supposed to live. Now they tell me to apply again, but it dont look good, we need that permit for this season, for 1980 fish run. Please follow with the House Bill No. 665, We lived our whole lives from fishing, our ancestors lived from fishing, Please help us.

You make your living at what you do best, We also do the same thing as you. If you were told you could not make your living, what would you do then ? We need our living back, Please give it to us. Please comply at once with this urgent letter, as Me and my family, as humans, need to fish again.

Sincerely Yours,

Gilly Jacko
Gilly Jacko

HB 665

FREDERICK TORRISI

Attorney

Box 10047
Dillingham, Alaska 99576
842-6308

April 14, 1980

Alvin Osterback, Co-Chairman
Resources Committee
House of Representatives
Pouch V
Juneau, Alaska 99811

re: HB 665

Dear Representative Osterback:

After the teleconference hearing on HB 665, during which over 50 persons testified in support of the bill, the United Fishermen of Alaska mailed the enclosed letter to an unknown (but large) number of permit holders. It is my understanding that many of these persons have written to oppose the bill since then. Because the primary beneficiaries of the bill are rural Alaskans, many of whom live in small villages without access to the media, I would like to respond to what I perceive as a misdirected effort by those misinformed by the UFA letter.

First of all, the Commission report which supplied the 560 figure for Bristol Bay drift was refuted by attorneys practicing in Anchorage, Homer, Kodiak and Dillingham at the teleconference. Yet UFA and the Commission continue to use the figure as if it were true, and UFA made matters worse by speaking of 560 new permits as if the bill created rights heretofore nonexistent. In fact, 560 is the maximum theoretical number of such permits possible if absolutely everyone who failed to apply in 1975 did so this time and if the correlation between preprinted (computerized) points and actual points were the same as in the original period. Clearly this would not be true, in that many of the persons failing to apply in 1975 did so because they did not have a chance at proving enough points to obtain a permit. The only ones with enough points to get a permit who failed to apply were those misinformed of the nature and procedure involved--primarily rural Alaskans.

Those of us representing persons failing to apply by the deadline know by experience that most persons who will try to obtain a permit if HB 665 becomes law will fail to prove enough points to do so. None of the nonresidents who have called me in this regard appear to have enough points, and in fact few of the local people seeking drift permits would actually qualify. But those who did miss the opportunity to obtain a permit have suffered a devastating loss, as was evident at the teleconference, and that loss becomes no less of one because 3000 opportunists might also try to take advantage of a new application period. The bill does not change the point system in any way, a point not made by UFA and not understood by the Outside persons who think HB 665 will allow them to receive permits for which they were not--and are not--qualified.

Representative Alvin Osterback
April 14, 1980
page two

From the beginning, limited entry has been misunderstood by large numbers of those who had to deal with it. As one who was in Dillingham in 1974-75, I can tell you that explaining the concept and application procedure was a formidable task. Many village residents don't understand today what has occurred, and especially older persons. Because the 1975 ADF&G forecast was poor, many local persons ignored the limited entry publicity (such as there was; KDLG was not on the air then, on the assumption that they would apply the following year. Others who had retired didn't apply because they failed to appreciate that a new species of property had been created and that their sons and daughters might not be able to qualify for permits because they lacked the requisite number of points.

In the last five years, many of these people, or their children, have learned what has occurred. While a new application period would not reach everyone, it would place permits in the hands of a sizable number of Alaskans, for whom there exists no alternative source of income. This result is well worth the administrative inconvenience to the Commission caused by re-applying the 1975 point system to new applications; it would appear in any event that the CPEC budget needs to be increased.

Please contact me if you have questions on any of the foregoing. As the UFA letter indicates, there are a lot of misconceptions about HB 665, and in fairness to the disenfranchised men and women denied permits, it is necessary to correct these before the Committee votes on the bill

Thank you.

Sincerely,


Frederick Torrasi
Attorney

FT/tm

cc: Neils Anderson, Jr., Majority Leader
Terry Gardiner, Speaker
Senator George H. Hohman
Senator Bill Sumner



UNITED FISHERMEN OF ALASKA

MAILING ADDRESS: 7 19801
1976
1976
1976

Sharon MacBlin
Executive Director

TO: ALASKA'S FISHERMEN

FROM: PHIL DANIEL
Executive Advisor, UFA

Limited Entry is in big trouble! There is a bill before the legislature, that, if passed would create 560 new drift permits in the Bristol Bay drift fishery alone. That would amount to a 30% increase in the number of permits that presently exist in that fishery. Unfortunately, no one knows how many new permits would be issued in the other limited fisheries in the state. These figures are simply not available.

This bill, HB 665, is known as the "late filer bill", and it would establish a new application period for people who failed to apply for permits during the two previous application periods. At least 4,000 people would be allowed to apply. Needless to say, drastic increases in the number of fishermen entering the fishery will most likely result in losses of fishing time.

The United Fishermen of Alaska is trying to amend the bill to get the numbers down. If that approach fails, we will be forced to try and kill the bill. You should be advised, however, that this legislation has strong support in the legislature.

We need your support! The most effective weapon that UFA has rests on your willingness to make yourself heard. We desperately need a flood of letters and telegrams to key legislators.

Please write or send telegrams to the following members of the legislature: Representative Nels Anderson, Representative Alvin Gustafson, Representative Jerry Gardiner (Speaker of the House), Senator Clem Latham (President of the Senate), Senator Bill Sumner, and Senator George Holman, as well as your local senator and representative. Send your letters addressed to: Pouch V, Juneau, Alaska 99811. It is not possible to overemphasize the importance of doing so immediately!

Please be polite. You should emphasize the fact that there is already too much gear in most of our fisheries, that we cannot afford further reductions in fishing time and that we are looking at dismal price projections for this coming year.

You should also be advised that the UFA's lobbying effort is in financial difficulty. We have tried to raise money for what we assumed would be a major Limited Entry battle this year. The crisis is now upon us, and the money has not come in. Some of you have contributed, and we appreciate your support very much. The fact remains, however, that most fishermen have failed to respond. If you believe that large increases in the amount of gear in your fishery is desirable, then you should do nothing. On the other hand, if you view this bill as a danger, you should send a check to the Limited Entry Defense Fund, c/o the United Fishermen of Alaska, 197 S. Franklin Street, Juneau, Alaska 99801.

If more money does not come in we will be forced to cut down on our lobbying effort.

A personal note: If it becomes necessary to cut back, I will be the first to go. Since there are other things that I would just as soon be doing, it's not such a bad idea from my viewpoint. In my opinion, however, we are in deep trouble, and I am not convinced that we can afford a cut in the lobbying effort at this time.

LIMITED ENTRY DEFENSE FUND
c/o U.F.A. 197 S. Franklin St., Juneau, AK 99801

Enclosed is:

NAME

ADDRESS

CITY

STATE

ZIP CODE

COMMENTS:

Lucy E. Gloko
P.O. Box 8
Manokotz, AK
99628

April 16, 1980

Nels Anderson Jr.
House of Representatives
Pouch V-- Capitol
Juneau, Alaska 99811



Dear Representative Anderson,

I am in support of HB 665 I am in favor of applying
for a entry permit.

I have fished most of my life as a fishing partner
and have fished as a set net gear holder. (1964- 1966)
Set netting in Bristol Bay has been my only source of
income. If I am awarded a permit it would give me back
my traditional summerjob. Not having a permit has caused
a hardship because I am unable to set net anymore.

I failed to file for a permit since I was not aware
of the Limited Entry but until it was to late the following
year.

Sincerely Yours,

Lucy E. Gloko
Lucy E. Gloko

cc:
Governor Jay Hammond
Alvin Osterback
House Resources Committee

RESOLUTION NO. 57-70

MW

A RESOLUTION SUPPORTING HOUSE BILL 665 AND
THE ESTABLISHMENT OF NEW APPLICATION PERIOD
FOR LIMITED ENTRY PERMIT.

WHEREAS, many rural residents of the State of Alaska, including the AYK region have not received limited entry permits for which they were otherwise qualified, solely because of their failure to submit timely applications to the Commercial Fisheries Entry Commission; and,

WHEREAS, the individual persons failure to submit a timely application was due to factors beyond his or her control: namely, the lack of understanding by such individuals of their rights under the Limited Entry Act and of the need to submit an application or be forever barred from pursuing their livelihood; the shortness of the application period; the geographical remoteness of the communities in which such individuals lived from the centers of communication and application assistance, and the misinformation prevalent concerning the standards of eligibility for limited entry permits; and,

WHEREAS, these individuals are now prevented from participating in one of the few or only occupations they have known, or that is available to them in their community; and,

WHEREAS, the State of Alaska has an obligation to rectify the injustice caused by the implementation of the Limited Entry Act,

NOW, THEREFORE, BE IT RESOLVED that the
supports House Bill 665 and the establishment of a
new application period for limited entry permits.

DATED: *March 13, 1980*

James Willie Mayor
Embraygo Vice Mayor

City of Noyah

- Heckfala Evan* member
- George N B lly* member
- Eric C Paul* member
- Carl Matgin* member

March 5, 1980

P. O. Box 114
Dillingham, Alaska 99576

Representative Alvin Osterback
Chairman, House Resources Committee
House of Representatives
Pouch V
Juneau, Alaska 99811

Representative Nels A. Anderson, Jr.
House of Representatives
Pouch V
Juneau, Alaska 99811

Dear Representative Osterback and Anderson:

I would like to present written testimony for the record on HB 665. I am in favor of HB 665 and would like you to read the following information that gives an example of someone who is considered a late filer.

Frank Brothers, my son-in-law began fishing with me in Bristol Bay in 1967. In 1968 and 1969, Mr. Brothers worked in Kodiak as a fisherman. In 1970, he fished my boat because I was disabled and couldn't fish. Following that, he fished as a partner in 1971, 72, and 73. He then went to work on the pipeline. While working on the pipeline, he wrote for information on getting a limited entry permit. He was sent the information and an application. He sent the application back to the Commission and did not receive an answer or acknowledgement of receipt of the application. He wrote again and they wrote back and told him he was too late and that he missed the filing deadline. He figured that he was ineligible and continued to work in the fishery as a boatpuller. In 1976 he reapplied for a limited entry permit, but was refused or denied because he did not meet the filing deadline. Mr. Brothers had enough points, however. The reason his application was denied was because of the filing deadline.

He has worked as a fisherman for many years and has a wife and four children and they are all dependent upon fishing as their main source of income and livelihood.

Is there any way for your people to check on this for me and for my son-in-law Frank Brothers? I would appreciate receiving an answer after you have had a chance to look into this case with the Limited Entry Commission offices. I will be looking forward to hearing from you. Can you please send a copy of my letter to the Limited Entry Commission? Thank you very much for your time and help in this matter.

Sincerely,

Frank Hiratsuka, Sr.

LA61 3986 17.12 JA01 0086 17.12 03/25/80

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TO: SENATOR BOB MULCAHY
TO: REPRESENTATIVE FRED ZHAROFF
TO: ALL MEMBERS OF THE HOUSE RESOURCES COMMITTEE,

*Halford
Chatter, Hays, Eliason
Osterback, Miles,
Carney, Cotten, Fuller*

I CAME HERE LAST YEAR FROM FLORIDA. I CAN APPRECIATE A LIMITED ENTRY PROGRAM MAINLY FOR KEEPING THE "FISH POPULATION" UP.

HOWEVER, IN REGARD TO HB 808 AND 665 I FEEL THAT FAIRNESS AND RESPECT TO THE "OLD TIMERS" HERE HAS BEEN NEGLECTED. THEY SHOULD BE ALLOWED PERMITS SIMPLY BECAUSE THEY ARE ALASKAN RESIDENTS AND HAVE BEEN FOR SOME TIME. THE INCOME THEY MAKE FISHING STAYS HERE IN ALASKA WHERE AS A LOT OF PERMIT OWNERS TAKE THEIR MONEY BACK TO THE "LOWER 48" WITH THEM. I THINK THESE ALASKANS SHOULD BE ALLOWED PERMITS.

JOHN A. SPRAGUE
KODIAK, AK. 99615

LA61 3909 17.06 J401 0084 17.06 03/25/80

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TO: SENATOR BOB MULLAHEY
TO: REPRESENTATIVE FRED ZHAROFF, ALVIN OSTERBACK, BILL MILES,
CHAT CHATTERTON, RICHARD ELIASON, RICHARD HALFORD, PATRICK CARNEY,
SAMUEL COTTEN, JOHN FULLER

I FULLY SUPPORT HB 508 AND 665 IN LIMITED ENTRY FOR ALL PIONEER
FISHERMAN OF ALASKA DURING THE EARLY DAYS OF ALL THE HARDSHIPS AND
THEY DESERVE EQUAL RIGHTS. I BELIEVE THESE TWO BILLS DO PROVIDE.

AS A RESIDENT OF ALASKA OF OVER 30 YEARS AND NOW I LIVE IN KODIAK,
I URGE THESE BILLS TO BE PASSED.

FRANK LEE
BOX 3198
KODIAK, AK. 99615

LA34 3392 15.29 JAO1 0062 15.29 03/25/80

TO JUNEAU
FROM DILLINGHAM

PLEASE RELAY THE MESSAGE BELOW TO REPRESENTATIVE NELS ANDERSON'S OFFICE,
AND REPRESENTATIVE ALVIN OSTERBACK, CHAIRMAN OF THE HOUSE RESOURCES COMMITTEE
AND OTHER MEMBERS

THOMAS TINKER CAME INTO THE LEGISLATIVE INFORMATION OFFICE TO URGE SUPPORT
OF HB665, THE LATE FILERS BILL. HE FISHED MOST OF HIS LIFE AND SERVED
IN
THE MARINE CORPS DURING 1972 TO 1974 AND WAS AWAY DURING THE APPLICATION PERIOD
FOR LIMITED ENTRY PERMITS. HE WOULD URGE THAT THIS BILL BE PASSED FOR
THOSE
PEOPLE WHO MISSED THE APPLICATION THE FIRST TIME AROUND SO THAT THEY CAN BE
GIVEN A CHANCE TO RE-APPLY FOR LIMITED ENTRY PERMITS. THIS IS THE MAIN SOURCE
OF INCOME.

FROM: THOMAS TINKER, BOX 26, ALEKNAGIK, ALASKA 99555
E

Nunam Kitlutsisti
P.O. Box 267
Bethel, Alaska 99559

Mr. Bill Miles
Mr. Alvin Osterbach
Co-Chairmen
House Resources Committee
Alaska House of Representatives
Pouch V -
Juneau, AK 99811

Re: HB 665

Dear Representatives Miles and Osterbach:

Enclosed please find a petition from residents of Tuntutuliak, Alaska, in support of HB 665 regarding "late" applications for limited entry permits. The petition was mailed to our office and I am forwarding to you.

Sincerely,



Kenneth R. Hamm
Fisheries Coordinator

cc: Mr. James Charles
Tuntutuliak

We the citizens of Tuntutuliak, Alaska
support the House Bill No. 665 introduced
by Rep. Nels Anderson.

James G. Charles
Eddie R. Angapok
Nancy H. Jimmie
John Paula
Frank Fugger
Peter Joseph's
William Massie
John G. Anderson
Katie A. Joff
Anna C. Andrew
Mary B. Miller
Nancy Charles
Anna Joseph.
Leon White
Aklia White
Martina Chris
Pancy Lypie
Dora Groh
Alice H. Fitts
Margaret Andrew
Willie K. Andrew
Larky Daniel

City of Napakiak

GENERAL DELIVERY
NAPAKIAK, ALASKA 99634
(907) 543-2062

Mary

Representative Alvin Osterback
House Resource Committee
Pouch V
Juneau, Alaska 99811

March 14, 1980

Dear Alvin:

Enclosed you should find Resolution 80-10 and signed by the City Council of Napakiak. The City Council met with the community on March 13, 1980 and when this Resolution was presented the Council voted to support the Resolution concerning HB 665.

Thank you for accepting this Resolution.

Sincerely,

Fritz J. Willie

Fritz J. Willie
City Manager

PJW/men

11 New since 1st inta put in files

KENNETH R. HAMM
ATTORNEY AT LAW
P.O. Box 1243
Bethel, Alaska 99559
(907) 543-2385

File: TOSH
3 Game

March 5, 1980

Mr. Bill Miles
Mr. Alvin Osterbach
Co-Chairmen
House Resources Committee
Alaska House of Representatives
Pouch V
Juneau, Alaska 99811

RE: HB 665

Dear Mr. Miles and Mr. Osterbach:

I'm an attorney in Bethel who has worked with limited entry problems in the Bethel service area for the past three and a half years, first as an attorney with Alaska Legal Services, and now with Nunam Kitlutsisti. I would like to take this opportunity to make some very brief comments on HB 665.

HB 665 is a very narrow bill aimed at a specific problem: persons who have enough points to obtain a permit but failed to apply in a timely fashion. It is my understanding that the Commission is claiming that the passage of such a bill will result in a flood of new permit holders which will overcrowd the fishery. My experiences do not lend credence to this assertion. During the past three and one-half years I have spoken with approximately 250 individuals concerning the problems they have had with limited entry permits. Out of that number only 10 or 15 would receive permits if a new application period were opened. Although the Commission might expect numerous applications if such an application period were opened, I do not believe that the administrative problem which this would create justifies the continued denial of permits to persons who have enough points but failed to apply in a timely fashion.

Those persons who had enough points but failed to apply on time were not at fault. There seem to be two classes of persons who failed to apply on time. The first class consists of individuals who were not physically present in the area during the application period and had no knowledge of the limited entry system or application period until it was too late. The reasons for such absence are varied: military service, higher education, and incarceration are but a few. The second class of such individuals are generally older, fail to understand English, and are culturally and geographically isolated from the Commission's chain of paperwork. Both classes of individuals were long-time commercial fishermen who depended upon the industry for their income and will suffer severe financial hardship if they continue to be excluded from the fishery. I can see no rational justification for continuing to exclude this handful of individuals from the fishery.

Mr. Bill Miles and Mr. Alvin Osterbach
3/5/80
Page 2

The one concern which I have about HB 665 is that it does not go far enough. The bill would simply open a new application period. The bill does not guarantee that persons with sufficient points will receive permits since they are still required to apply for a permit. Needless to say, many of the reasons that persons failed to apply during the original application period, such as linguistic differences, cultural and geographical isolation, and absence from the State, continue to the present day, and it might be expected that these reasons will continue to frustrate the smooth flow of paperwork. Consequently, I recommend that the bill contain a provision that simply requires the Commission to inspect its records and automatically issue permits to those persons with a sufficient number of points. Such a provision would insure that the problem which the bill seeks to address is actually corrected.

In the absence of such a provision, the bill should require a lengthy application period (at least one additional year) coupled with strong outreach requirements insuring that persons with sufficient points are notified by the Commission of the new application period and informed that they appear to qualify for a permit.

Sincerely,

Kenneth R. Hamm

Kenneth R. Hamm
Attorney at Law

cc: Members of the House Resources Committee
Nels Anderson
Terry Gardiner
Clem Tillion
George Holman

LAW OFFICES OF
ALASKA LEGAL SERVICES CORPORATION

R. O. BOX 181
DILLINGHAM, ALASKA 99576
TELEPHONE 842-5653

March 28, 1980

Representative Alvin Osterback, Co-Chairman
House Resources Committee
Alaska State Legislature
Pouch U
Juneau, Alaska 99811

Re: House Bill 665

Dear Representative Osterback:


Enclosed is a statement in support of HB665 which was submitted to me. Please have this included in the record of proceedings.

I have been speaking with Nels Anderson's office in regards to this bill. I hope to be in Juneau during April for any further hearings before your committee and to help support this bill.

If you have any further specific concerns regarding this bill, please do not hesitate to contact me.

Sincerely,

ALASKA LEGAL SERVICES CORPORATION


David J. Snyder
Supervising Attorney

DBS:ml

Enclosures

RE: Statement in Support of House Bill 665

From: Timothy E. Troll, City Manager, St. Mary's, Alaska.

First I want to thank you for the opportunity to make this statement. I am sorry that I cannot be here personally but my duties in St. Mary's prevent it.

Before becoming the Manager for the City of St. Mary's I was an attorney for Legal Services Corporation in Bethel and spent a large part of my time working to obtain permits for people in this area. I consider the work I did in the area of Limited Entry law to be the most rewarding and most important work I did.

House Bill 665 is needed to correct a grave injustice that has occurred in the administration of the Limited Entry law. I completely disagree with those opinions you may have heard that this law will open the floodgates to new ~~applicants~~^{permits}. It certainly will not in the AYK fisheries. Regardless, I don't think this consideration the most important. House Bill 665 does no more than implement what is already required by existing law.

I would like to read to you Section 16.43.270.

Sec. 16.43.270. Initial issuance of entry permits. (a) The commission shall issue entry permits for each fishery, first to all qualified applicants in the priority classifications designated under § 2540(b) of this chapter and then to qualified applicants in order of descending priority classification, until the number of entry permits issued equals the maximum number of entry permits established under §§ 230 - 240 of this chapter for each fishery, except that no person within a priority classification specified under § 2540(b) of this chapter may be denied an entry permit.

You will note that the last sentence in this section says 'that no person within a priority classification specified under §250(b) of this chapter may be denied an entry permit.' Referring to §250(b) it says: "The commission shall designate in the regulations those priority classifications of applicants who would suffer significant economic hardship by exclusion from the fishery. The sole criteria established is economic hardship. Time of application is not a factor in determining hardship. As such according to §270(a) any person who has enough points to receive a permit will suffer economic hardship if excluded from the fishery and thus cannot be denied a permit.

On the Kuskokwim that point level is eight (8) and on the Lower Yukon that point level is ten (10). Any person who comes within these point levels cannot be denied a permit under the present law, even if he did not submit a timely application.

To add to the unfairness of using an application deadline to exclude people from the fishery consider that the Entry Commission knew most of the persons entitled to receive permits before it sent out the applications. In many cases the Commission preprinted points on the application and often the points preprinted were enough for a permit. Why didn't the Commission just send a permit? What was the need for having an application at all? Three of my clients at Legal Services had precisely this problem. Each was sent an application with enough points preprinted to receive a permit. By the Commission's own standards these individuals suffer significant hardship by exclusion from the Fishery, yet they are excluded. Their exclusion is at bottom a penalty for not reading or understanding english.

Mrs. Farris R. Crookston
286 N. 2650 E.
Layton, Utah 84041

April 1, 1980

Representative Alvin Osterback

Dear Sir:

I have been trying for three years to get my limited entry permit to no avail of course. I was a late filer. Not because I didn't know about filing but because I didn't think I qualified. (See enclosures).

I know you are busy - and I have included most of the correspondence concerning it. If you can't take time to read it all - please read my letters to the Commission and the red lined portions of the last letter from the Commission.

Since then I have called several times and they said they would mail my file and give me a new rundown - but they didn't. Also I think it is worthy to note that they accepted my check for the permit - told me they would give me a permit, then subsequently did not - but they did keep the check. That has been almost three years. It seems to me that if they had my money then I should get the permit.

I have fished side my side with my boat on Palmaria Island in Utah since 1973 and still do - I need and desire that permit. Please help me get it.

Enclosure of 12/6/79 will ensure ... Please vote for it.

Very hopefully yours,

Farris R. Crookston

August 31, 1977

Gentlemen:

According to your instructions you will not accept this application for an entry permit. I am submitting it irregardless of the instructions and for good reason.

It would have been submitted in the beginning had it not been for confusion created by the commission itself as to who could qualify for such a permit.

I fished side by side with my husband on our set net site since 1965. I had gear license (probably) during the years 1970, 1971, 1972, 1973, 1974. My sons held them from 1965 through 1969 and would have applied for entry permits had not the same confusion you created existed in their minds.

I have never had a commercial license because the law states that a wife fishing with her husband need not have one.

I have never delivered fish in my name because we saw no need for more than one account at the cannery for a family operation. All fish were delivered in my husbands name.

I own half of the set net site and half of the gear.

The confusion of which I speak was generated when we first received application for entry permits. The implication (at least in our minds) was that it would take 20 points to qualify for such a permit and since my husband was the only one with 20 or more points he was the only one of us to apply. Never in our wildest dreams did we ever imagine that 6 points would ever qualify one of us.

About a year ago I wrote and explained some of these things, and rather than a reply, we received a list of names of people who might sell. I don't want to buy one. I want my own. Couldn't you have sent some information at that time and at least tried to be helpful?

My husband phoned the other day and found out the 6 points was all that was necessary to qualify. Weren't we naive not to recognize that the 20 points mentioned would eventually be lowered to 6 points? On that basis, I had three sons and one daughter that may have qualified.

I therefore submit the following application and ask for special consideration because I refuse to believe that the Great State of Alaska is so rich and untending that they will not help solve a problem which they themselves generated.

We need one entry permit. Please help us get it.

Respectfully yours,

Signature in Original
J.H.C.

STATE OF ALASKA

JAY S. HAMMOND, GOVERNOR

COMMERCIAL FISHERIES ENTRY COMMISSION

POUCH RB - JUREAU 0001

November 9, 1977

Mrs. Farris Crookston
286 N. 2650 E.
Layton, Utah 84041

Dear Mrs. Crookston:

Governor Hammond has requested that I reply directly to your letter to him concerning your application for an entry permit for the Cook Inlet set net fishery. Please excuse the delay in acknowledging the letter you sent to the Entry Commission on August 31, 1977, along with an entry permit application form. The form you used was for a special group of applicants made eligible under a State Supreme court decision and is part of a different application process. Consequently, it got routed into a different part of the system.

Your letter of August 31st indicates that you did not apply during the original application period which ran from December 19, 1974 through May 1975 because of confusion created by the Commission that caused an implication in your mind that it would take 20 points to qualify for a permit.

Item 8 on the original application form is a box containing the following statement:

"Any time you have 20 or more verifiable points, you will receive an entry permit and you may skip to part 3 on the reverse side. Since permits may be awarded to those with fewer verifiable points, all other applicants, including those uncertain of points, are urged to complete all lines from 9 - 24."

Page 2 of the general instructions for these applications repeats that information.

Under the cover sheet for the instructions, the first item is a letter from then acting chairman of the Commission, Roy A. Rickey. The third paragraph of that letter begins,

November 9, 1977

"Should you need assistance in completing the application, do not hesitate to call our Juneau office (area code 907 586-3456) if you cannot find anyone to help you locally." Concerning other points raised in your letter of August 31st:

1) The instructions on pg. 5 and 6 explain specifically what it is necessary to do to receive credit for active participation as a gear license holder if fish were not landed in your name.


2) The instructions concerning crewman credit on pgs. 7 and 8 explain what is to be done to receive crewman credit in years when you did not fish as a gear license holder.

3) The note at the bottom of pg. 8 of the instructions explains the procedure to be followed if you were a crewman for your husband and not required to have commercial license.

If you were confused, there was an opportunity to telephone or write the Entry Commission, or contact one of its agents, to receive application assistance. Your file does not indicate any such contact with the Commission.

While the application process is admittedly complex, the Entry Commission has made all reasonable efforts to be clear, to dispell confusion, and to provide application completion assistance. It is regrettable that you did not submit an application during the 1974-75 application period. If you can demonstrate that you were clearly misled or erroneously advised by the Commission or one of its agents, then the Commission may be able to accept a late application from you, depending on the nature of the evidence submitted. Given the information currently before the Commission, there is no authority under which we may accept a late application from you.

Sincerely,



Allan Adasiak
Chairman

AA:eb

cc: Jay S. Hammond
Governor

November 16, 1977

State of Alaska
Commercial Fisheries Entry Commission
Pouch KB
Juneau, Alaska

Dear Mr. Adasiak:

It was with a great deal of disappointment that I read your letter dated November 9, however I feel fully justified in asking that you reconsider my case. Fishing Cook Inlet is our life and our livelihood. What ever else we do during the year is secondary and the day we arrive in Utah at the end of the season is the day we begin our preparations for our return trip back to Kenai. Mr. Adasiak, we need that permit, please help us get it.

There is no new information, no new facts, but may I point out to you some things I feel are worth the consideration of the Commission.

In your letter, which I include here for your convenience, you mention that my application was misrouted and that was the reason for the delay in answering. You merely asked to be excused for your confusion, yet I attached a note directly to the application stating that it was a late application and not of the category mentioned. If your people were confused by my one paragraph, then try to imagine, if you can, the confusion that we must have felt as we ploughed through 41 pages of instructions, maps and directions, you sent to us. Not to mention the 10 or 12 years of fish slips closing statements and old applications for gear license and etc.. We were confused.

In your closing paragraph you mention that if I can demonstrate I was misled or erroneously advised that you could reconsider my position. I think I can demonstrate that we were clearly misled by the very paragraph (item 8) that you quote as that portion which clarifies the matter. It all boils down to what you communicated or thought you communicated to me, and I didn't think you said what you thought you said. The inclusion of the word fewer makes the whole paragraph highly subjective depending on ones point of view. For example, "a lot of snow" to a person in southern Utah could mean 10 or 15 inches, but a lot of snow to a person in northern Utah would have to mean 10 or 15 feet, and thats a pretty broad interpretation for four simple words.

A person who saw no need for limited entry and was against it would probably have applied after reading item 8 if they had only one point. We felt that limited entry might be a fine thing and talked about the fact that perhaps Alaska had a system that might hold up in court after a couple of failures, and we adopted the position that, and this is in the God's truth, that fewer than 20 points might mean 19 points or maybe even drop as low as 18 points. We never even once considered that it might go as low as 15 points. We felt at the time that I might have 10 or 12 points and never once did it cross our minds that fewer than 20 might some day mean 6.

That brings me to the top of page two of your letter. Having taken the position that we did on item 8 we felt in our hearts that a call to Juneau would only serve to varify our conviction that fewer might mean 18 or 19 points. We did not pursue points 1, 2 and 3 because we felt we had already been defeated by item 8, so naturally there is no record of a phone call or inquiry. We filed for a permit for my husband, put the directions away and considered the matter closed until we learned this summer that 6 points could have qualified me. If this is not a clear cut demonstration of clearly being mislead, however unintentional on your part, then I shall probably never see one.

It is easy for you to look back in retrospect and tell me how what I should have done then, but that is hardly necessary, I can do that.

Another point: Can you honestly say that at the time the document was written that you thought 6 points might qualify a person? If you didn't then your position on item 8 was such like mine, and if you did, then don't you feel you could have made it more clear by indicating that fewer than 20 points could have meant as few as 6 points.

I told the only other fisherman down here, that I know of, that I was reapplying for an entry permit, and his reply was that it wouldn't do any good because one had to have 20 points to qualify. He (Ken Carlson) has fished in Kenai since about 1958, and had the very definite impression that a permit could not be granted with less than 20 points. That was in October of this year, and he got his impression from the same 41 sheets of instruction as I did. I was clearly not the only one who was misled. His address is 92 N. 2nd E. Box 234, Wickham, Utah 84321. If you care to contact him or I can get a written notarized statement from him if it would be helpful.

You also mentioned in your last paragraph that if I could demonstrate I was clearly misled by the Commission on one of your agents that you would reconsider my application.

On August 31, 1977 I submitted a letter and application to the Commission asking for consideration on the very matter we are discussing. Sometime later I received a form letter from the Commission acknowledging receipt of the application. The letter stated that the application had been accepted, that my twenty dollars was on deposit and that they hoped to have all of the applications processed sometime in November. It further stated that if I had the necessary 6 points I would receive an entry permit. If I did not have the necessary 6 points that my money would be refunded to me. Since I had at least 6 points I was fully confident that my entry permit was assured.

May I quote from your closing paragraph, "It is regrettable that you did not submit an application during the 1974-75 application period." This is clearly an admission that I had the necessary points to qualify, otherwise there would be nothing to regret.

Further my son Kent Crookston Star Route 1957 Hogard Road, Palmer, Alaska 99575, called the Commission to see if he might qualify for a permit. While on the phone he inquired about the status of my application. He was told that my application was received and a special hearing would be held considering it. He too would file a signed notarized statement to that effect for your inspection.

About a week before I received your disappointing letter, Germa Farnham of LUNA, Idaho called me and offered to sell me her permit because she had a buyer for it and wanted to give me a chance to buy it. She had given me first rights of refusal last spring. I told her of the letter I had received from the Commission. She felt as I did, that my entry permit would be forthcoming, and so offered her permit to the other party. I mention this to point out how sure I was of the information I received from the Commission. Now I find that the information was erroneous. There will be no entry permit forthcoming. I think this demonstrates that I have been given erroneous information by the Commission or one of its agents. I therefore ask that the Commission accept my late application, and that they make a decision in my favor.

I will get signed statements from the two parties and forward them to you for inclusion but feel this letter cannot wait for them now.

I committed no crime in filing late, I ask to be excused for my ignorance or stupidity, or whatever you choose to call it. I cannot offer you any documentation other than that which I have mentioned. My only weapon is the truth and I pray to God that you will recognize it as such. I am a deeply religious person and would offer you nothing else.

I do not seek a permit to resell at a profit, I seek it to use, then pass on to my sons for their use when we turn our set net site over to them at some future date.

I further ask, Mr. Adasiak, that you reverse your decision and that you become my personal champion in convincing the Commission that they should issue me an entry permit.

This probably sounds like I am trying to rationalize for my own short comings, or blame the Commission. Please rest assured that such is not the case. I feel as you do, that the Commission tried in every way to make the information say what you wanted it to say. Unfortunately that is seldom possible, not necessarily because of the complexity of the system so much as the complexity of the human mind. I only hope I am capable now of conveying to you that which I think I said.

If you can think of anything I might be able to send you that would be of help, please advise me as to the nature of it and I will try and supply it to you.

What more can I say? I rest my case and I thank you very much.

Respectfully yours,

Warris Crookston
Warris Crookston

COMMERCIAL FISHERIES ENTRY COMMISSION

POUCH 28 - BUREAU 2001

November 30, 1977

Mrs. Farris Crookston
286 N. 2650 E.
Layton, Utah 84041

Dear Mrs. Crookston:

We are most sorry to inform you that the Commission cannot under the Limited Entry Law and regulations accept your late application for a Cook Inlet set net entry permit.

The Commission is authorized to issue 686 entry permits for the Cook Inlet set net fishery. By regulation, an application period extending through April 18, 1975 was established in which applications were accepted. An additional application period for selected individuals not included in the original application period was later ordered by the Alaska Supreme Court. Only where an application was lost in the mail, or where the Commission erred in advising an individual, has the Commission deviated from these application periods. The reason for an application period may not be readily apparent: it is because until all applications are finally before the Commission and processed, no final decisions on the point level of issuance can be made. All permits for the Cook Inlet set net fishery have now been issued.

The Commission cannot accept the proposition that it misadvised you in its statements in the application form and accompanying instructions. We recognize that the application was complex; this was caused primarily by the complexity of the law itself, by the requirement that we obtain all information relevant to an applicant's qualifications, and by the fact that the application was necessarily designed to apply to applicants for 19 different salmon fisheries.

To be quite frank, the Commission had no idea what number of points would be required for issuance of a permit for each of the 19 salmon fisheries addressed by the application form. The issuance level simply was contingent upon too many factors over which the Commission then had no control or knowledge, including:

- the Commission did not know how many eligible fishermen would apply for their permit
- the Commission had no computerized form of data for years prior to 1969
- the Commission had no accurate information concerning the number of applicants that would qualify for set net site ownership
- the Commission had no data for estimating the number of crewman participation points that would be awarded
- the Commission was unable to project what portion of the entry permit applicants would qualify for income dependence points

In short, the issuance level would not be known until all applications were finally processed. We did, however, encourage every eligible applicant to apply for his or her entry permit.

It is also most unfortunate that you did not contact the Commission during the application period to obtain assistance in determining your actual point qualification. According to the information you have to date given us, together with existing state records, it appears that you would have qualified for in excess of 70 points, and thus would have received a permit at the outset. You did hold gear licenses each year from 1965 to 1972, and apparently fished with your husband during all the time he fished. This represents 16 points. You also fished with him each year in at least a crewman capacity (by assisting the fishing operation) in each year from 1965 to 1966. For this you would have received four points. You also qualified for at least four points for investment in set net gear and site, as you apparently recognize. This is a total of 24 points, and we have not addressed the possibility of income dependence points (a potential of 10 points).

Furthermore, based just on the information you apparently had during the application period, it appears you could have demonstrated qualification for 18 or more points (which you believed to be within the realm of possibility). You knew you had a gear license in 1970 and 1972 (since you sent us these licenses), and that you had participated at least as a crewman every other year

Mrs. Farris Crookston

-3-

November 30, 1977

from 1965 to 1971. This is a total of 14 points. You also knew that you qualified for at least four points for site and gear ownership, or four more points. This equals 18 points without any consideration of potential points for income dependence upon the fishery.

We can understand your distress at finding that you would have qualified for an entry permit had you applied, but the Commission has no other choice at this time. I am sorry we cannot be of assistance to you.

Sincerely,

John N. Garner
John N. Garner
Commissioner

LET'S GIVE THEM AN CHANCE NOW!

VOTE FOR HB665

City of Fairbanks
Fairbanks Alaska
99701



The Honorable Representative Alvin C. Tschuck
Alaska State Legislature
Juneau
Juneau Alaska 99801

CITY OF KWETHLUP
RESOLUTION NO. 500

RECEIVED
4-9-80

A RESOLUTION SUPPORTING HOUSE BILL 665 AND THE ESTABLISHMENT OF NEW APPLICATION PERIOD FOR LIMITED ENTRY PERMIT.

WHEREAS, many rural residents of the State of Alaska, including the Yukon-Kuskokwim region have not received limited entry permits for which they were otherwise qualified, solely because of their failure to submit timely applications to the Commercial Fisheries Entry Commission; and

WHEREAS, the individual persons failure to submit a timely application was due to factors beyond his or her control; namely, the lack of understanding by such individuals of their rights under the Limited Entry Act and of the need to submit an application or be forever barred from pursuing their livelihood; the shortness of the application period; the geographical remoteness of the communities in which such individuals lived from the centers of communication and application; and the absence of information regarding the standard of responsibility for limited entry permits; and

WHEREAS, these individuals are now precluded from participating in all the law or only a few of them, they have a right to that which is available to others in their community; and

WHEREAS, the State of Alaska has an obligation to rectify the wrongs caused by the implementation of the Limited Entry Act;

NOW, THEREFORE, BE IT RESOLVED that the State Legislature support House Bill 665 and the establishment of a new application period for limited entry permits.

PASSED and ADOPTED this 7th day of April, 1980.

[Signature]
Mayor

ATTEST: *[Signature]*
CITY CLERK

[Signature]
CITY ADMINISTRATOR

The President's representatives that day
Alaska state legislators
Lambert
Lambert (Alaska 1980)



City of Ketchikan
Ketchikan, Alaska 99821

CITY OF KWETHLUK
RESOLUTION NO. 500-1990

RECEIVED
4-9-80

A RESOLUTION SUPPORTING HOUSE BILL 665 AND THE ESTABLISHMENT OF NEW APPLICATION PERIOD FOR LIMITED ENTRY PERMIT.

- WHEREAS, many rural residents of the State of Alaska, including the Yukon-Kuskokwim region have not received limited entry permits for which they were otherwise qualified, solely because of their failure to submit timely applications to the Commercial Fisheries Entry Commission; and
- WHEREAS, the individual persons failure to submit a timely application was due to factors beyond his or her control; namely, the lack of understanding by such individuals of their rights under the Limited Entry Act and of the need to submit an application or be forever barred from pursuing their livelihood; the shortness of the application period; the geographical remoteness of the communities in which such individuals lived from the centers of communication and application assistance, and the misinformation prevalent concerning the standard of eligibility for limited entry permits; and
- WHEREAS, these individuals are now prevented from participating in one of the few or only occupations they have known, or that is available to them in their community; and
- WHEREAS, the State of Alaska has an obligation to rectify the injustice caused by the implementation of the Limited Entry Act;

NOW, THEREFORE, BE IT RESOLVED that the State Legislature support House Bill 665 and the establishment of a new application period for limited entry permits.

PASSED and APPROVED this 2nd day of March, 1990.

[Signature]
Mayor's signature

ATTEST [Signature]
City Clerk

[Signature]
City Administrator

STATE OF ALASKA

DEPARTMENT OF LAW

OFFICE OF THE ATTORNEY GENERAL

110665
JAY S. HAMMOND, GOVERNOR

POUCH K--STATE CAPITOL
JUNEAU, ALASKA 99811

465-3600

April 25, 1980

Representative Nels A. Anderson, Jr.
Eleventh Legislature -
Second Session
Pouch V
Juneau, Alaska 99811

Re: HB 665

Dear Representative Anderson:

Yesterday, at House Resource Committee Hearings on HB 665, you requested that this department prepare a legal opinion on the constitutionality of that legislation. The legislation would provide for a second application period for fisheries currently placed under limited entry, and would allow the commission to exceed the maximum numbers established in AS 16.43.230-240 to accommodate additional permits issued under the legislation.

As I informed the committee orally yesterday, the legislation suffers no clearly fatal constitutional deficiency. There is, however, a constitutional question which the legislation raises which cannot be disregarded. Under existing law, the commission sets issuance levels for each fishery according to its point system -- that issuance level reflecting the number of permits which can be issued in a particular fishery without exceeding the maximum numbers established pursuant to statute. For example, if the maximum

number for a particular fishery is 1,000, and the commission determines, after reviewing all the timely applications, that 1,000 persons have finally been classified at 17 or more points, the issuance level will, of course, be 17.

The maximum number, in turn, is set at historical gear intensity levels. AS 16.43.230-240. In light of the Alaska Supreme Court's recent decision in CFEC v. Apokedak, _____ P.2d _____ (Op. No. 2011; February 5, 1980), we believe there is little question that it is constitutionally permissible for the legislature to initially freeze gear intensity in a particular fishery to historical levels. Since the commission's point system had been previously upheld by the court (Yunker v. CFEC, 598 P.2d 917 (Alaska 1979)), there would appear to be no question that the commission may properly distinguish, in our hypothetical fishery, between persons with 16 points, and persons with 17 points, as long as the issuance level is tied to the maximum numbers established in §§ 230-240.

Under HB 665, however, testimony before the committee indicates that no one knows how many additional permits, above the maximum number, may be issued if the legislation passes. As a result, the distinction between those with 16, and those with 17 points may become blurred if substantial numbers of additional permits are issued by legislative choice. Thus, a person with 16 points may now be able to argue that the legislature has voluntarily abandoned the maximum number concept, and has not replaced it with any other independently

derived gear intensity figure which would justify an issuance level of, again, 17.

A response, of course, would be that the Act already envisions that maximum numbers may be exceeded in order to accommodate all those gear license holders who would suffer significant hardship by exclusion from the fishery. AS 16.43.250(a). Since the legislature has already, properly, accommodated this type of "hardship" in the point scheme, it is likewise competent for the legislature to accommodate the perceived "hardship" created by the legislature's previous establishment of application deadlines. The analogy is less than clean. First, under HB 665, late applicants would be eligible for permits at the issuance level, rather than at the "significant hardship" level. Second, even if this aspect of HB 665 were amended, in most fisheries the bill would result in the maximum numbers being exceeded for reasons other than the accommodation of those who have demonstrated significant hardship, since, under the bill, those with less than 20 points would be able to retain their permits, even if the consequence of that retention was the substantial exceeding of the maximum number.

Again, it is difficult to judge the likely success of this argument. The legislature should retain substantial flexibility to adjust any particular piece of legislation to deal with a particular problem which arises after the fact. We would hope, after the supreme court's decision in CFEC v.

Apokedak, supra, that the law is no different in Alaska. Whatever the ultimate resolution of this question by the supreme court, we would be less than honest in failing to note that some in this state have been less than restrained in their eagerness to initiate litigation concerning limited entry. This department currently handles some 150 limited entry law suits, and, although recent court decisions have substantially reduced our incoming case load, the cold fact remains that there is a tendency in this state to grope for grounds for litigation on this program, regardless of the merits of the arguments concocted. */ As a result, this department is, perhaps, overly conservative in its concern over any legislative initiative which would raise additional legal issues -- irrespective of their weight.

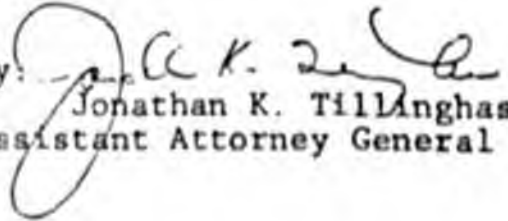
In sum, we believe that the better view of the law is that HB 665 is constitutional. In all likelihood, however, it will result in additional litigation. First, litigation may arise with respect to the issue that I have described in this letter. Second, this legislation envisions a second application period, with, of course, a second application deadline. We haven't the slightest doubt that the same

*/ Much of this litigation involves late application cases where inadequate notice was alleged. Three separate superior courts have ruled that the commission clearly satisfied any conceivable notice requirement.

complaints raised with respect to the initial application period will also be raised with respect to the second application period established by the legislature -- regardless of the efforts taken by the commission to notify persons of the pendency of this deadline. As you are aware, the efforts arranged by the commission, with respect to providing notice of the initial application deadline, in large part through the Bristol Bay Native Association in your area, were undertaken because many concerned parties believed, and represented through a consent agreement with the state, that these steps would be adequate to notify potential applicants. For some reason, many of those parties no longer believe those efforts were adequate. Given this course of conduct, we are deeply concerned that a second, unfortunate round of fault finding may well occur with respect to the efforts which would be initiated under this bill.

If you have any further questions, please feel free to contact me.

AVRUM M. GROSS
ATTORNEY GENERAL

By: 
Jonathan K. Tillinghast
Assistant Attorney General

JKT/jb

cc: Representative Al Osterback
John Williams, Commissioner
CFEC

ALASKA LEGAL SERVICES CORPORATION

1000 B
DILLINGHAM, ALASKA 99576
TELEPHONE 465-1662

HB 665 *recd*
4/25/80
5 26

April 28, 1980

Alvin Osterback, Co-Chairman
House Resources Committee
Alaska State Legislature
Pouch V
Juneau, Alaska 99811

RE: HB 665

Dear Representative Osterback:

I have just received a copy of an opinion letter dated April 25, 1980 from Jonathan Tillinghast of the Attorney General's office which finds that HB 665 would be constitutional. Mr. Tillinghast's comments at the April 24th hearing were somewhat ambiguous and I thought you would want to know his final opinion.

Mr. Tillinghast states that there is a possibility that there will be additional litigation which of course is true for any piece of legislation. However, the constitutional questions do not seem to be significant and the Bill is clearly constitutional as now written.

The only change that we have proposed to the bill as written is to prohibit issuance of permits to persons who would suffer only "minor economic hardship" by exclusion from a fishery as defined by the Commercial Fisheries Entry Commission. This would be accomplished by adding the following words after the second sentence of Section 3 of the bill:

"... except that no permits shall be issued to persons who would suffer only minor economic hardship from exclusion under A.S. 15.43.250(c)."

PROPOSED
AMENDMENT

I appreciated the opportunity to be able to address the Committee on this issue which is of paramount concern to the rural citizens of this state. I would like to reiterate my support for this bill and my belief that no adverse impacts will be felt by fishermen or the fishery.

If you have any further questions concerning this legislation, please feel free to contact me.

Sincerely yours,
ALASKA LEGAL SERVICES CORP.

David B. Snyder
David B. Snyder
Supervising Attorney

cc: House Resource Committee Members

HB 665

Rural Alaska Community Action Program, Inc.

CPC RESOLUTION #80-1

ENTITLED: "In Support of HB 665"

WHEREAS, Representative Nels Anderson has introduced Legislation (HB 665) which would permit certain individuals to file applications for Limited Entry Permits, in spite of the fact that certain deadlines have passed; and,

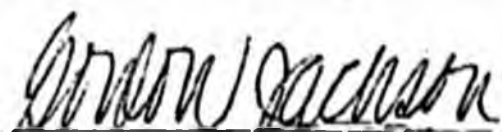
WHEREAS, one of the identified problems with the present Limited Entry Statute is that many Alaskan Residents, primarily rural residents, were denied the opportunity to apply during the allotted time; and,

WHEREAS, although estimates vary as to the number of persons who may qualify for Entry Permits under the terms of the Legislation, it is safe to say that the overall impact would be minimal, especially in light of the demonstrated biological recovery of the Salmon Resource;

now, therefore be it

RESOLVED: That the Citizen's Participation Conference does hereby support and endorse HB 665, and urges the Alaska Legislature to pass said bill.

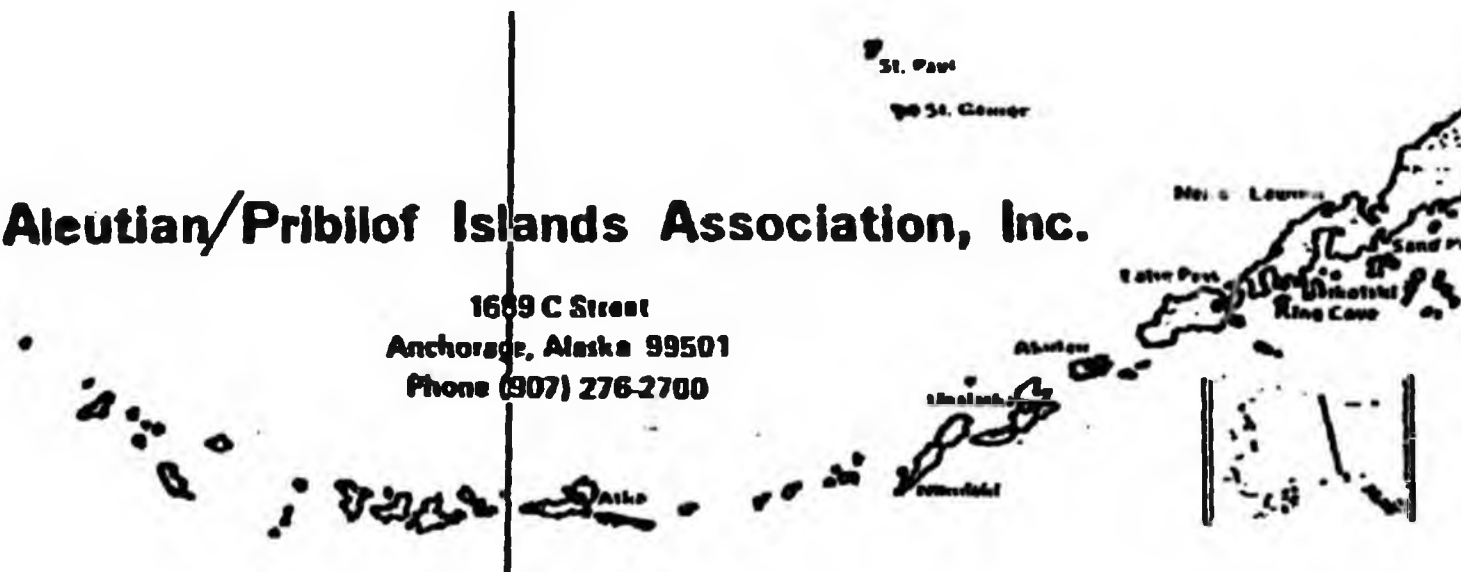
DATED this 20th day of March, 1980, in Juneau, Alaska.


Gordon Jackson, President
Rural CAP Board of Directors


Phil Smith, Director
Rural CAP

Aleutian/Pribilof Islands Association, Inc.

1689 C Street
Anchorage, Alaska 99501
Phone (907) 276-2700



Resolution #80- 2

A Resolution Supporting House Bill 665 and the Establishment of a New Application Period for Limited Entry Permits.

WHEREAS: Many rural residents of the State of Alaska, including the Aleutian Peninsula region have not received limited entry permits for which they were otherwise qualified, solely because of their failure to submit timely applications to the Commercial Fisheries Entry Commission; and

WHEREAS: The individual persons failure to submit a timely application was due to factors beyond his or her control; namely, the lack of understanding by such individuals of their rights under the Limited Entry Act and of the need to submit an application or be forever barred from pursuing their livelihood; the shortness of the application period; the geographical remoteness of the communities in which such individuals lived from the centers of communication and application assistance, and the misinformation prevalent concerning the standards of eligibility for limited entry permits; and

WHEREAS: These individuals are now prevented from participating in one of the few or only occupations they have known, or that is available to them in their community; and

WHEREAS: The State of Alaska has an obligation to rectify the injustice caused by the implementation of the Limited Entry Act,

NOW THEREFORE, BE IT RESOLVED, that the Aleutian/Pribilof Islands Association, Inc. supports House Bill 665 and the establishment of a new application period for limited entry permits.

PASSED this 14th day of February 1980

ATTEST:
[Signature]
Secretary

[Signature]
Chairman, Board of Directors
Aleutian/Pribilof Islands Association, Inc.

To: House Resources Committee
re: H.R. 665
April 24, 1980
from: David B. Snyder, Alaska Legal Services, Dillingham
Fred Torrisi, Dillingham

a. The persons affected.

In 1975, the Commercial Fisheries Entry Commission began the implementation of a unique program of limiting entry into Alaska's fisheries. That year, 13 salmon fisheries were limited. Applications were accepted through May 18, 1975. Except for persons proving postal error or Commission misadvice, no-one who failed to apply for an entry permit by the deadline has been able to fish in any of these fisheries as a gear license holder since then.

A separate application period was established for the Arctic-Yukon-Kuskokwim areas in 1976. In this area also, a number of persons eligible for permits under the Limited Entry law failed to apply and lost forever their right to harvest salmon as a gear license holder.

It is our sincere belief that most of the persons who met the hardship standard for entry permits established by AS 16.43.250 but who failed to apply, were Alaska residents. The Commission, faced with the task of reaching thousands of widely scattered fishermen, mailed cards to those persons whose eligibility could be programmed on its computer, and issued press releases which were widely disseminated in newspapers and radio. But no radio station was in operation in Bristol Bay until after May 18, 1975, and no newspaper of general circulation exists even now.

In retrospect, it is apparent that a much longer application period should have been held. When the Alaska Native Claims Settlement Act was passed, 2 years was given to enroll everyone and Congress later passed a late application law to catch those who were missed. The Commission could have held the application period open for a long time while simply requiring that permits be obtained prior to actually fishing. Instead, understandably anxious to begin the final classification of applicants so that the issuance level of the point system could be determined, a shorter period was used (less than six months) and people missed the cut-off date.

The 1975 application period was fraught with problems. Former Commissioner Jay Stovall, in a letter dated February 5, 1980, recalls that he told an eligible set net fisherman in Bristol Bay that he had virtually no chance for a permit because he didn't have enough points. In fact, so few eligible persons applied in that fishery that everyone received a permit. Others recall hearing that 20 points were required for a permit; in fact, 20 points guaranteed a permit. This was the first year of a novel program and many mistakes were made.

The ADF&G forecast for the Bay in 1975 was very bad. Those electing not to fish often didn't realize that they needed to apply in order to fish in future years. After generations of applying for licenses annually, it took some families some time to realize what the concept of limited entry was all about.

The Commission did outreach to contact people, but it took hours just to complete one application even after one was familiar with the 40 page instruction booklet. The literacy rate in western Alaska is among the worst in the country.

House Resources Committee

HB 665

April 24, 1980

page two

and a large percentage of people either don't understand English at all, or speak it as a second language.

Older persons were especially likely to miss the deadline, because they didn't understand the fact that their daughters and sons would not necessarily be able to obtain permits on their own. Of the more than 200 late applicants represented by Alaska Legal Services, many are older Alaska Natives who do not read (or often speak) English.

Other persons failed to apply because they didn't get any notice at all. Some were away at school, others in the military. Still others filled out the cards requesting applications and thought that the card itself was the application. But whatever the reason, it is apparent that the less sophisticated, the poor and the uneducated were the ones most often losing the permits.

b. HB 665

The bill before the Committee does not change the point system or make anyone eligible for permits who was previously ineligible. It does not "open things up." What it does is allow the Commission to exceed the "maximum numbers" to accept late-filed applications, until December 31, 1980.

The "maximum numbers" represent the amount of gear in the water during the highest year between 1969 and 1972. For example, in the Bristol Bay drift fishery the maximum number was 1669 (although there are about 1700 permits issued for that fishery for various reasons including the Isakson Supreme Court decision). The optimum number of units of gear (AS 16.43.290) has not been determined for any fishery, nor has the buy-back authorized by AS 16.43.310 been implemented. It is possible that the optimum number may exceed the "maximum" number in some fisheries; the United Fishermen of Alaska are supporting a bill (HB 1015) to issue new permits in those fisheries which have "recovered" since 1975.

If the improved management techniques and the 200 mile limit do not result in Alaska's fisheries being able to support more gear (a question perhaps as much related to marketing as biology), then the buy-back is the remedy--not denying permits to those who depend on fishing for their livelihood.

c. Testimony prior to 4/24/80.

Approximately 50 persons testified at the teleconference hearing held March 3, 1980, and no-one testified against the bill. Persons failing to apply explained what happened to them and the consequences during the last five years. Clearly this is a bill which will benefit these Alaskans far more than will the tax repeal or distribution of oil wealth; this bill will return to them their chosen occupation.

The letters and telegrams since that date have been somewhat divided on the bill, but in numbers they overwhelmingly support it due to the presence of numerous resolutions and petitions. Village councils of several western Alaska villages have passed resolutions supporting the bill, and the City of Kodiak filed a petition signed by about a hundred residents. The Aleutian-Pribilof Island Association, Inc., the Kodiak Area Native Association, the lower Yukon-Kuskokwim Aquaculture Association, the Rural Alaska Resources Association

House Resources Committee

HB 665

April 24, 1980

page three

and the Bristol Bay Native Association all passed resolutions supporting the bill, and the Citizens' Participation Conference held in Juneau endorsed it as well. It is significant that organizations and municipalities of the region primarily impacted by the bill support it (in this writer's examination of the letters written against the bill, only two were found from residents of western Alaska).

d. The number of permits likely to be issued.

Anyone fishing as a gear license holder between 1960 and 1972 is eligible to apply for a permit. The point system is then used to determine if one will qualify for a permit. Because applications have not been processed for those not applying before the deadline, it is impossible to predict exactly how many new permits will be issued.

It is, however, possible to perceive certain factors and draw inferences with respect to the number of permits likely to result. Because the Commission has attempted to do this in its memorandum of 2/25/80 for the Bristol Bay drift gillnet fishery, some discussion of this fishery may be instructive.

According to computer records some 813 eligible applicants failed to timely apply for permits for this fishery. As noted earlier, many of these persons had the belief that 20 points were required for permits and elected not to apply. It is our opinion that the magnitude of the problem is illustrated by the fact that so many eligible persons failed to apply--but it does not follow that several hundred permits will be issued in this fishery if HB 665 becomes law.

The Commission memo states that its computer has information verifying only 9 eligible applicants at 17 points or more (the issuance level in this fishery), but goes on to postulate 551 will end up proving 17 points. This of course assumes that everyone applies in a second application period, an assumption clearly invalid, although it is again impossible to state exactly how many would in fact apply.

But more importantly, the Commission's second assumption is also erroneous. Although only 37 persons have more than 11 points (according to computer info), and 634 have less than 6 points, the Commission assumes 551 will obtain permits by projecting actual point totals by analogy to the class of persons who in fact applied in 1975. That correlation, while placing an upper limit on permit awards is clearly inapplicable directly to non-filers because many non-filers in fact made conscious decisions not to apply because they did not have very many points.

It is not a contradiction to say a) the application period failed because a lot of people failed to apply, and b) most of those people won't qualify for permits. In the ideal system, all eligible persons will apply and those who qualify will receive permits. But if two fishermen receive applications with -0- preprinted points and one has fished all his life and the other fished only one year, the former is far more likely to apply--leaving the latter on the computer run of eligible persons who failed to apply. For those who did not comprehend the nature of limited entry or received no actual notice--the persons this bill seeks to help--the correlation is true; but for that large group of more informed persons who knew they had little chance of qualifying for permits, it is not.

House Resources Committee

HB 665

April 24, 1980

page four

In three fisheries, so few applications were received that permits were issued at -0- points. We suggest that section 3 of the proposed bill be amended by adding, at the end of the second sentence, the words "except that no permit shall be issued to persons who would suffer only minor hardship from exclusion under AS 16.43.250(c)." This would require, for example, that permits only be issued in the Bristol Bay set net fishery to those proving more than 6 points. Those suffering hardship were supposed to receive permits; those suffering only minor hardship can properly be excluded in those fisheries for which the maximum number has been reached.

e. Administrative burden on the Commission.

The Commission is administering a program of tremendous importance to Alaskans, and it should be funded in an amount sufficient to enable it to do its job. The amount of outreach assistance spent in Bristol Bay in 1975 was less than the present value of one drift gillnet permit there.

The fiscal note submitted with this bill includes a substantial amount to clear up the Commission's backlog of cases; if it is funded in the amount requested, it should be made clear that applicants under the new application period should receive permits to which they are entitled expeditiously.

f. Conclusion.

It is true that some persons will receive permits under this bill who consciously elected not to apply for them in the original application period. It is also true that in some years, in some fisheries, there will be an increased amount of gear in the water when there should be less. But neither of these reasons is sufficient to refuse to award permits to the persons who testified at the teleconference and who inhabit virtually every village of southwestern Alaska. The "maximum numbers" are a completely arbitrary set of gear limitations which were selected as a starting point to limit entry; the Commission has yet to determine optimum numbers. While everyone excluded by limited entry may cry for a change, one group stands out as equitably entitled to their permits as the intended beneficiaries of the original act: those who would suffer hardship by exclusion from the fishery for which they were eligible. HB () would rectify this inequity. If the State's marketing efforts fail, or if the determination is made in a given fishery that the resource cannot support the number of units of gear in the water, then the buy-back provisions of the statute should be implemented. Neither of these conclusions is evident at this point, and it is unfair to penalize qualified fishermen by forever excluding them from the fishery.

Against

HB665

TELEGRAM

ALASCOM, INC.
PHONE: 586-6442
JUNEAU, AK 99802



8 02235 NL TDA EKVOX AK 107 04-28 418P AST

PMS REP ALVIN OSTERBACK
A394

JUNEAU

JOHN AND VALERIE YUKLUK OF EKVOX SUPPORT HB665 LATE APPLICATIONS
FOR LIMITED ENTRY PERMITS. OUR FUTURE DEPENDS ON THIS BILL I JOHN
YUKLUK AND THE SON OF SIMON YUKLUK AND BROTHER OF STEPHAN YUKLUK
WE WERE ELIGIBLE FOR PERMITS BUT DIDNT APPLY BECAUSE MY FATHER
COULDN'T READ OR SPEAK ENGLISH. MY BROTHER WAS IN JAIL DURING THE
APPLICATION. I FISHED MOST OF MY LIFE AS A BECKHAND WITH MY
FATHER AND BROTHER AND OTHER PEOPLE AND I WOULD LIKE TO BE ABLE
TO APPLY FOR MY FATHER OR BROTHER PERMITS SINCE THEY ARE BOTH
DECEASED. I WAS IN SCHOOL AT MT EUCLEUMBE DURING THE FILING
PERIOD. SINCERELY

JOHN AND VALERIE

APR 28 9 18 PM '00

April 16, 1980

House Resources Committee
Alaska State Legislature
Pouch V
Juneau, Alaska 99811

Dear Sirs:

I do not support H.B. 665 for the following reasons:

With a possibility of larger boats after December 31, 1981 in the Bristol Bay area, the outer limits will probably have to expand to fit the needs of the larger fleet.

With the amount of gear in the water now it is ortrageous. With excess gear it will be worse than maggots, especially when the runs are in certain areas and most of the fleet concintrates in that area.

I feel people selling thier permits, the state should have fisrt priority. Then lease thcr to the people who depend or have a hardship if they depend on the fishery for cash economy. Of course at a low price, or depending on the catch. Then after the permits have been paid off by leasing each year, issue them to the qualified people who depend on the fishery for a living. For your information I do not have a permit, and do not wish to obtain one at this time. I am a fishing partner though.

Sincerely,

Marilyn Nelson

Marilyn Nelson

Thomas H. Wagoner
Box 3969
Kenai, AK 99611

April 3, 1980

Alvin Osterback
Pouch V
Juneau, Alaska 99811

Dear Sir:

In response to HR 665, I would like to express my opposition to this bill based upon the following reasons:

1. I have watched the fishing time become less and less in the Cook-Inlet during the last ten years.
2. Since limited entry began, fishermen have been able to improve their equipment by investment in newer and safer boats, many of which have been financed by State loans, if HR 665 passes our fishing time will be diminished accordingly and the State of Alaska may be the owner of a rather large fleet of modern gillnetters.
3. Prices being quoted today surely will be a large economic blow to most of the Gillnetters in Alaska without having fishing time reduced by the addition of more permits to various areas.

One thing that stands out more than any other factor when reviewing the limited entry program is: This program is presently working, so give it a chance to totally succeed. I am not requesting total immunity from scrutiny since all programs should be subject to a critical review from time to time; however, with this in mind, please be reminded that many areas, such as Cook Inlet where I fish, produced fish enough to average \$18,000 to \$22,000 gross income per boat in the drift fleet during 1978 which was the best season in the last 20 years.

Respectfully,


Thomas H. Wagoner

3-27-80

Dear Sir -

I am writing to protest bill HB665.
I feel there is already too much gear
in most of our fisheries so that
we cannot afford further reductions
in fishing time. We are also
looking at dismal price projections
for this coming year. It is hard
enough making a living at fishing,
please do not make it harder!

Sincerely -

Tom Firtle
Bx 774
Cordova AK.
99574

Re: HB 665

3/26/80

Dear Rep. Osterback:

As a life time fisherman & one who was granted one limited entry permit (SE seine) and who saved and worked hard in order to purchase an outboard (power Trawl) & thus broaden my fishing activities I urge you to seriously consider not increasing the no. of permits.

Fishermen in SE AK have already been severely restricted in area openings, fishing time, gear & now are experiencing huge fuel ^{price} increases along with depressed prices for our fish. The forecast for a poor SE seine year plus perhaps lifting of limit seine restrictions does not brighten the picture.

Having entered other fisheries (i.e. longline) I find the same problem is already developing in

That was.

Obviously There are some
Tough years ahead - Those of us
who will keep fishing regardless
because this is what we have to
do would just like a fighting
chance to make a living.

Sincerely,

Mae Johnson

P.O. Box 929
SITKA AK 99835

JAGG 0004 14.07 JAGG 0103 14.08 03/06/80

HPB lks

TO: ALL LEGISLATION
FROM: GEN. INFO. OFFICE

THE FOLLOWING IS FROM ROGER ENON, COMMERCIAL FISHERMAN, 7316
BUNKER STREET, EDEKIKON, ALASKA - 99501
I AM CONCERNED ABOUT THE IMPACT HB 665
WILL HAVE ON ME IF IT PASSES. I FISH THE LIMITED SALMON PURSE
LIMIT FISHERY IN SOUTHEAST ALASKA. THIS FISHERY IS ALREADY IS
ALREADY OVERCROWDED. PAGE ITS OPTIMUM NUMBER OF PERMITS. THE
FISHERY SOURCE IS IN BAD ENOUGH SHAPE WITHOUT ADDING IT WITH
MORE BOATS. I FEEL THE PURPOSES OF LIMITED ENTRY WOULD BE VERY
DAILY IMPACTED IF THIS BILL PASSES. 100/000

JAGG 0005 14.14 JAGG 0105 14.14 03/06/80

TO: ALL LEGISLATION
FROM: GEN. INFO. OFFICE

THE FOLLOWING MESSAGE IS FROM SOUTHEAST ALASKA BEING BOAT OWNERS
AND FISHERMEN ASSOCIATION, PISCHELLA AVENUE, 100 WATER, EDEKIKON
ALASKA - 99501.

WE ARE VERY CONCERNED ABOUT THE EFFECT HB 665 WOULD HAVE
ON THE LIMITED FISHERY. IN PARTICULAR THE SALMON BEING FISHERY IN
SOUTHEAST ALASKA. THIS FISHERY IS ALREADY UNDER A HEAVY STRAIN AND WE
WANT TO SEE THE RECORDS ON IT INCLUDED. WE WOULD ASK THE
COMMISSION TO CONSIDER THIS MATTER MORE THOROUGHLY BEFORE MAKING
A DECISION. IT IS IMPORTANT TO FIND OUT THE PROBABLY NUMBER OF
BOATS WHICH WOULD BE ISSUED IN EACH FISHERY. 100/000

Homer AK. Mar. 26

To Representative Alvin Osterback

Dear sir

Please Sir do any thing you can to keep any thing from getting
by that would increase the number of salmon fishermen (HB 665) for
one. This thing of 8 to 16 days a season is bad enuf without makeing
it worse , thats Cook Inlet.

Last summer was the first time in year; That I lost Money salmon
fishing , the other time I blew an engine.

Yours Trueky

Clarence Platt

MR. CLARENCE H. PLATT
BOX 1007
HOMER, AK

3-26-80

DEAR SIR

I AM A COMMERCIAL FISHERMAN OF
COOK INLET. MY NAME IS LEO STEPHAN.

I'M AGAINST OPENING LIMITED ENTRY
AT THIS TIME, THERE IS NO JUSTIFICATION
FOR IT AT THIS TIME.

THERE ARE ENOUGH FISHERMAN NOW IN
COOK INLET. WE HAVE 12 W. FISHING
PERIODS 2 DAYS A WEEK. IF THE TIDES
ARE WRONG WE FISH ABOUT 8 HOURS PER DAY.
OPENING LIMITED ENTRY NOW WILL BRING
ON MORE FISHERMAN FOR THE SAME AMOUNT
OF FISH. OUR FISHING TIME WILL BE
REDUCED TO ONE DAY A WEEK. MAKING
A LIVING OF FISHING IS HARD
ENOUGH NOW.

I AM AGAINST, HO 665

Leo Stephan

127 N. PARK ST. MT. VIEW

PNCH. AK. 99504

LA11 1285 11.05 JA01 0022 11.05 03/28/80

5

TO REPS. ANDERSON, OSTERBACK, GARDINER, AND SENATORS HOYMAN AND TILLIO
N

FROM KEN MUELLER, PHD.
SRA BOX 382X, ANCHORAGE 99504
344-9014

CONGRATULATIONS ON HB 630 AND SB 391 AND 392 (GOOD CONTROLS). PLEASE

DO NOT SUPPORT HB 665 BECAUSE OF IT'S DISASTEROUS EFFECTS ON BRISTOL
BAY, I.E., OVER THREE HUNDRED FISHERMEN DO NOT HAVE MARKETS, DOCKING
SPACE NOT AVAILABLE, EXCESSIVE GEAR IN THE WATER. THANK YOU FOR YOUR
SUPPORT.



GERD METZ
HUNTING COORDINATOR



5121 LAFOUCHE • ANCHORAGE, ALASKA 99504 • PHONE (907) 272-3040

Representative
Alvin Osterback
Juneau Ak. 99811
Pouch V

Anchorage, March 25th 1961

I, as a fisherman of the Bristol Bay & a holder of a Limited Entry Permit, strongly oppose the bill HB665.

I did not qualify for a permit & had to pay a handsome sum in order to keep on fishing.

Twice those people had a chance to apply for permits & failed to do so & now, since fishing became a big business, everybody wants a permit without paying for it.

I would like to hear your answer on this.

Sincerely

JOHN HARSILA
2501 NORTHEAST 130
SEATTLE WA 98125



Mailgram®



TO: JOHN HARSILA
2501 NORTHEAST 130
SEATTLE WA 98125

FROM: [Faint text]
[Faint text]

Form 1 (2/73) 150-1137

MAILING INFORMATION AND POSTAGE WILL BE PAID BY ADDRESSEE

26 March 1980
5412 E. 22nd Ave
Anchorage, Ak 99504
Ph: 907 333-8461

Representative Alvin Osterback
Pouch V
Juneau, Ak 99811

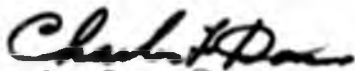
RE: HB 665

Dear Rep. Osterback:

On our Cook Inlet fish sites we have five permits, which are more than adequate. We have been fishing in Cook Inlet for more than 12 years. Every year our records verify that less and less salmon are being caught by us and our fellow Limited Entry permit fishermen along the West Foreland Cook Inlet Sites. The only fact sustaining the Commercial Fisherman's living is the fact that salmon prices keep increasing every year due to the fact that there is less fish.

To allow HB 665 to pass would be disastrous to the Commercial Limited Entry Fishermen. We already have enough Alaskan citizens trying to make a living from commercial fishing.

Sincerely,



A. Lurene Davis
Charles F. Davis
A. Lurene Davis

1238 N. W. Norcross Way
Seattle, Washington 98177

March 27, 1980

The Honorable Alvin Osterback
Representative for the State of Alaska
Pouch V
Juneau, Alaska 99811

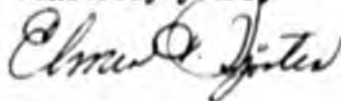
Sir:

I urge you to vote against HB 665.

There is already too much gear in Alaska and to issue more permits would ultimately result in the loss of fishing time. We cannot afford this because of the price projection for the coming year.

I have fished in Bristol Bay and the Port Moller area for thirty years. Many of us have many thousands of dollars invested in gear. Please don't put this in jeopardy.

Sincerely yours,



Elmer T. Hjorten

Robert White
Box 916
Gold Beach, Ore
97444

Mon 28, 1988
Box 916
Gold Beach, Ore.
97444

Dear Sir

I just read there is a bill
before the legislature to increase
the number of permits in the
fisheries.

It is a fact the current
number of fishermen is able
to flood the market & please
dont add any more year to the
fishery.

Yours truly
Robert White

April 1, 1980

Dear Concerned Legislator:

I am a commercial fisherman and am married to one. I would like to express my concern about HB 665, the 'late-filers' bill.

I genuinely feel there were several people left out of the Limited Entry system through no fault of their own. Anyone who did not apply because their village was not properly notified, or because a language barrier was not considered should have a chance to file, even this late. /x

So--Please, please, please look at some compromises.

If HB 665 goes through as it is now, not only those deserving permits, but also financial speculators will be able to enter the fishery. There were many people who did not apply back then because they did not think the fishery could provide enough income and they did not realize the potential growth of the value of the permit. To safeguard against unscrupulous 'carpetbaggers', make any new permits non-transferable.

I urge you to consider that if you support this bill in its present form, you shake the whole basis of the fishery. Limited Entry was voted on by the people of the state to protect us from encroachment from outside the state. Limited Entry must remain. Without it, we would have tremendous numbers of fishermen, bot residents and non-residents, and no one would be able to make a living. The vast majority of fishermen do not make what those in Bristol Bay or Chignik have recently made. Please look at statewide fishing net incomes.

The Limited Entry Commission already has laws it can act upon to increase the number of permits in any fishery that has recovered biologically and economically to stand extra fishing effort. Please pursue this angle. The Commission right now seems to be unwilling to do this; it is afraid of lawsuits. Push it; push it hard to allow more permits. And see that those persons who most deserve a permit under the 'late-filers' bill get first priority. Make the Commission do its job.

To summarize: If you feel you must pass this bill, please amend it. It would be far better though, to use existing legislation to allow more permits to be issued.

Thank you for your time. Work to protect the right of fishermen to earn a living!

Alice Bartoo

Alice Bartoo
Box 847
Juneau, AK 99902

Representative Alvin Osterback:

Concerning HB 665 ("late Filer Bill")

With fuel prices nearly double last years; boat maintenance, gear and all other expenses up nearly as much fishermen are looking at a 25%-50% decrease in price! Further, the Alaska Dep. of Fish & Game has announced extensive cutbacks and closures will have to be effected this season due to more gear and pressure in the fisheries than they can sustain.

Please consider that HB 665 will further this problem of too much gear, and cause even more restrictions. Fishermen simply cannot afford further restrictions in fishing time and remain in business.

Sincerely,

Robert Darris

Box 1234

Petersburg, Alaska

99833

Yakutat ak. 99689 - Apr. 1 - 80

4/2/80

Representative Osterbacke - sir:-

Bill HR 665 - No, no, no, Yakutat area is

already over fished, no more permits,
we have short weeks now. Begun 1 1/2 days a
week to divide the fish among the fishermen we
already have. Yakutat has had dozens of drownings
of rookies trying to learn. Rivalry for sets causes
disappearances. Frank W. Johnson

HB 665

Kauffman
R.R. 4-4253-5
Juneau, AK

3-30-80

99803

Dear Rep Alvin Osterbuck,

I am a fisherman and deeply concerned about HB. 665 - a bill to issue limited Entry permits to those who filed late.

Yes, I have a vested interest in the outcome of that legislation. My objection is this. The increase or decrease of limited entry permits is a process that ~~involves~~ should involve the Dept. of Fish and Game, limited Entry Commission, and State Board of Fisheries. If they feel an increased number of permits should be issued because the resource has come back and can stand the ~~the~~ that's fine. But to have the legislature mandate permits in the policed area, where the issuance of a large number of permits would be tantamount to buying votes is ridiculous.

I well remember the effort put out to get people to respond in qualifying for a permit. Some folks did not get permits who had a good case - however if they were fishermen and not speculators they acquired permits and continued to fish. Such opportunities are not denied anyone - many people have worked their way into fishing under limited entry. H.B. 665 would put too much gear in the water and would in all in fishing time, I oppose it.
Thank you, Dave Kauff

Mar 26

Dear Rep Osterback,

We are against the passage of bill HB 665, for several reasons. For one, it is not fair for the state to eliminate offering free permits - throughout it was hard to get a lot of money ^{therefore} to my distrust of permits I had to result to making a tremendous investment in order to get mine, if they start being handed out to free, this is a ~~loss~~ for me, my 100% permit value will drop to nothing. I will not only have missed out on a free permit but my investment becomes worthless. Also the addition of 500 fishermen to the bay would be devastating. There isn't enough rain or moor to handle them. Yours A.P.

DALE D. DONER
BOX 7
ANCHOR POINT, AK
99556

SAN FRANCISCO

The City by the Golden Gate



FISHERMAN'S WHARF, SAN FRANCISCO

5:5F 35

One of the most picturesque sights in San Francisco is this scene of Fisherman's Wharf. Here many hundreds of fishing boats berth daily. On the street side are located San Francisco's outstanding, world renowned Sea Food Restaurants.

Color photo by Igor Stchogolev

address

Rep. Alvin Stierfack

Pouch V

Bureau

Alaska

79811

Dear Alvin:
Please vote against
bill HB 665. We
have too much gear
in the fisheries now.
Can't afford more cuts in
our fishing time.
Walter Doner

P.O. Box 80,
Skamokawa, Wa. 98647,
March 26, 1980.

Senator Clem Tillion,
President of the Senate,
Alaska State Legislature,
Pouch V,
Juneau, AK 99811.

Dear Senator Tillion,

We are writing regarding House Bill 665, the "late filer" bill which would effectively end limited entry in the Bristol Bay area. Commercial fishing is our source of living, and half our income comes from Bristol Bay. Although expansion of permits seems reasonable in the light of the 1979 season and the 1980 prediction, we feel that this is a short-sighted view. We have not forgotten the lean years from 1970-1978, and a thirty percent increase in licenses in future lean years could well be disastrous for those of us who depend upon the fishery for a living.

The Bristol Bay fishery is cyclical in nature, with some years being very good and some being very poor, and a few moderate years in between. We would like to see the fishery managed so that full-time fishermen can make a living from it. There is no doubt about the efficiency of the present fleet to harvest the largest runs into the Bay. The problem is one of markets, and the legislature could be very helpful in providing assistance in developing such markets. We are looking at a poor price this year simply because the markets are not available, and of course the State of Alaska will lose revenue for this same reason. Rather than expanding the fleet to directly compete for an already limited market, which in turn will drive down prices and tax revenues, we would like to see an aggressive market program on the part of the State.

It should also be pointed out that increasing the number of licenses will create undue political pressure on the Alaska Dept. of Fish and Game during the lean years, to open the seasons when they should perhaps remain closed. We would suggest that the Bristol Bay fleet not be permitted to expand until several years of this cycle have gone by. We suspect that those who now want permits in order to make a "quick buck" will vanish as soon as the going gets a little rough, leaving those of us who are committed to the fishery facing a shorter season and curtailed income.

Thank you for your attention to this very important issue.

Yours truly,

Kent Martin
Ken Martin

Kent and Irene Martin.

cc: Sen. Sumner, Hohman, Rep. Anderson, U. Thiback, Gardiner

March 28, 1980
Kirkland, Washington

Representative Alvin Osterback
Pouch V
Juneau, Alaska 99811

Dear Sir:

In reference to the late-filer legislation, please note that many areas of Alaska are hard hit by depleted runs and overfishing.

Copper River's five hour King season, no red season, and no immediate relief in sight is an example. Prince William Sound has a disaster forecast, The Southeast has a poor forecast, and Kodiak and the Cook Inlet forecasts are not too good, either.

Limited Entry has made it possible for fishermen to borrow to purchase safe efficient vessels which are not paid for and may never be. It has saved loss of life and accident. It has made it possible for families to run boats and thereby earn an acceptable living which also improves family life.

These late filers could have and would have filed if they had foreseen a monetary value in the permits, most of them boat pullers who still have the same opportunity as before to fish.

Many fishermen who had quit filed and got in by the skin of their teeth so to speak, only to immediately sell the permit, thus adding to the already overfished conditions.

These late filers could be put on a waiting list to be issued a permit if and when an area needed more fleet to efficiently make the harvest. Meanwhile, they still have the original option of boat-pulling.

I do not like to see a fishing and the livelihood of a fleet destroyed by these people who were too lackadaisical to get on the bill when there may have been a chance which they were not interested in. Most of them would be no threat to the active fleet, but the industrious enterpriser who they would sell their permits to would hurt the fisheries.

I speak with over 40 years experience as a boat owner and fisherman.

Sincerely yours,

Carl (Rud) Becker

Carl R. Becker
13912 103rd N.E.
Kirkland, wa. 98033

March 27, 1980

Representative Aris Ostrback

Pouch V

Juneau, Alaska 99811

Honorable Sir:

Capt Busalacchi
Post-Box 23, Old Ave
San Francisco, Ca 94116



Any increase in permits at this time would be an increase in problems the fish buyers and the fishermen find themselves in.

Lot of fish were lost due to spoilage as long string of boats had to wait a long period of time ^{to unload}, result rotten fish.

As you know this year we face a depressed market a big decrease in price.

Please see Vote No on Bill HB665
Thanking you
Yours truly
Capt Busalacchi



A & A BOAT STORAGE INC.

2911 Kenoyer Ct. • Bellingham, WA 98225 • (206) 671-0229
P.O. Box 198 • Naknek, Alaska 99633 • (907) 268-4219

March 27, 1980

Dear Sir,

In regards to Bill HB 665, concerning limited entry, please do your best to see that it does not pass. I've been a Bristol Bay fisherman for seventeen years and I am thirty-nine years old. If you are a true fisherman you make sure your applications and permits are in order.

In the past, and it looks like again in the future, the problem will be in handling the fish. The land base processors have never been able to handle the run regardless of the size. There are too many boats at present and another 560 wouldn't even make sense.

I wish I could go into one of the major problems which is Japanese involvement in American processing and marketing of our Salmon, but that will come in the future.

It is important that you look to the future when the cycles are down and weigh the impact of 30% more permits in the Bay. It would really be a disaster!

I appreciate you taking the time to read this letter and hope you will consider the views of the fishermen when making your decision on Bill HB 665.

Yours Truly,

Nick Aliotti
Nick Aliotti

Kenneth R. Hunnicutt
Box 301
Cordova AK 99574

Dear Sirs

I am concerned about the
future of fishing. We struggle
in a and around our problems with
limited buying and we still
1. Hunting I can make fishermen
2. Getting some more fish
3. Doing I a total fish a most
the more money at a rate
to a more than
some of the fishermen
I can take a long time
with a lot of money in
limited buying I am protesting H&B
a annual affair that every
will find and in the

Sincerely,
Kenneth Hunnicutt

3-26-80

ALVIN Osterback

I'm writing in regard to HB 65
FIRST OF ALL I'm strongly OPPOSED
to ANY MORE gear. There has
been more than enough time to
apply for permits when they were
being issued. It seems to me
the REAL issue is high prices for permits
IF they weren't transferrable
about half the applicants would
drop out of the fact of a couple
good years seems to attract the
other half. IF IN FACT they
WERE fishermen they would of
MADE SURE they applied when
the rest of us did.

I fished Bristol Bay in 1972 ~~the~~
year used to base the amount
of gear. what my question is where
ARE all the boats coming from.

IT SEEMS EVERY YEAR THERES MORE
BOATS. I KNOW FOR A FACT THERES
MANY BOATS FISHING WITH OUT
PERMITS EACH YEAR. IT SEEMS
TO ME THE LAW COULD BE
ENFORCED INSTEAD OF CONTINUING TO
ADD MORE YEAR.

WITH THE PRICES LOOKING GOOD
THIS YEAR AND MAYBE MANY YEARS
TO COME BECAUSE OF JAPANESE CONTROL
AND ADDON YEAR I FOR ONE MIGHT
BE NEW TO THE LAST SEASON AND MANY
MORE PEOPLE WITH MUCH LARGER
INVESTMENTS THAN MINE I JUST
WONDER HOW WERE GONNA PAY FOR
OUR INVESTMENTS.

I WOULD SUPPORT NON-TRANSFERABLE
PERMITS EXCEPT TO THE IMMEDIATE FAMILY
I WOULD CERTAINLY WANT TO BE ABLE TO
GIVE MY SON MY PERMIT WHEN I QUIT FISHING.
THANK YOU
Dennis Brown
Copper Center AK 99573

3-26-80

Representative Alvin Odlebeck

Dear Sir

as a 43 yr. Resident and 15 yr Cook
Inlet Salmon fisherman I
Respectfully Request you do not
Support H.B. 665.

I believe anyone who did not apply
with all previous opportunities has
little grounds to apply now
I know in the case of Cook Inlet
we do not need any more fish
in the water to further reduce
our already severely restricted
fishing time. add to that the
dismal forecast both for runs and
price in the Inlet & hope you
can see why I feel as I do

Sincerely

Lionel S. Haskinson
5th RT Box 450
Anchor Point, AK. 99556

Clyde W. Smith
Rt. 2 Box 595
Buckley, WA. 98321

March 27, 1980

Mr. Alvin Osterbeck;

Please do not vote for the increase in Limited Entry permits. An increase would cut fishing time and decrease the value of permits. There are plenty of permits issued already.

Thank you kindly,

Sincerely,

Clyde Smith
Clyde Smith

3/27/80

Rep. Alvin Osterback
Pouch V

Juneau, Alaska 99811

Dear Alvin,

I am writing to you in regard to H B C C T which allows late filing for limited entry permits.

In my opinion, all of the salmon fisheries of Alaska are troubled by too much gear. This has been a problem since statehood and before.

Since retiring from A D F I G, I spent the 7th season on a seiner in S. E. Alaska and the last 2 on a power trawler. There are a lot of boats, more than enough to harvest the fish, in both of these fisheries.

I urge you not to support this bill. More gear will mean less fishing time for all.

Sincerely,
Stan Swanson

4-4-80

Representative Alvin Osterback
Pouch V
Juneau, Ak.

Dear Mr. Osterback,

I am writing to you about the bill H.B. 665. I understand this bill will allow more people to file for limited entry permits.

As a powertroller in Southeast Alaska, I am concerned. Naturally I would not like to see many more permits in our fishery. We are already losing fishing time yearly the way it is.

I hope you will fully consider the disadvantages and harm this bill will cause as well as the benefits.

Thank you,

Murray R. Hoyle
Box C 8471
Ketchikan, Ak

April 2, 1980

Representative Alvin Osterback
Pouch V
Juneau, Alaska 99811

Dear Sir:

I am writing this letter in regard to HB665, "The late filer bill."
There is already plenty of fishing gear in most of our fisheries.
Anything that would increase the amount of gear would result in a loss of
fishing time.

On the surface it may look as if today's fishermen are getting rich,
while in reality expenses are extremely high and most fishermen have very
large mortgage and interest payments to make.

The market for salmon doesn't look very good at the present time. I'm
sure that we are facing a sizable reduction in price.

With the above mentioned points in mind I am opposed to any legislation
that would increase the amount of gear in Alaska waters.

Thank you for your consideration in this matter.

Sincerely,

Kenneth G. Teter
Kenneth G. Teter

1211 2335 13.52 JA01 0023 13.52 04/04/80

TO REP. MILES AND REP. OSTERBACK AND ALL MEMBERS OF THE HOUSE
RESOURCES COMMITTEE
REP. RAMONA BARNES

FROM: RON KUCZEK
6009 WINDING WAY
ANCHORAGE 99501 333-1162

JOE FOUTS
6208 STAEDEN DRIVE
ANCHORAGE 333-6025

I WOULD LIKE TO VOICE MY STRONG OPPOSITION TO HOUSE BILL 665. WITH THE
E
PROJECTION FOR VERY LOW PRICES THIS YEAR, COUPLED WITH THE MARKETING
PROBLEMS ASSOCIATED WITH SALMON PRODUCTS AND A GENERAL EXCESS SUPPLY,
I FIND IT DIFFICULT TO ACCEPT ANOTHER APPLICATION PERIOD. THIS IS
DOUBLY TRUE WHEN YOU CONSIDER THAT THERE HAVE BEEN TWO PREVIOUS
APPLICATION PERIODS TO ENABLE INDIVIDUALS TO APPLY THAT HAD FAILED TO
DO SO. INSTEAD, I PROPOSE THAT A SYSTEM OF "USE YOUR PERMIT OR LOSE
IT" WOULD BE FAR MORE APPROPRIATE. THIS SYSTEM WOULD ENABLE OTHER
FISHERMEN TO ENTER THE FISHERY AND NOT DESTROY THE VALUE I HAVE PAID
TO ACQUIRE MY PERMIT BY FURTHER SATURATING THE FISHERIES WITH EXCESS
GEAR.

THANK YOU FOR YOUR CONSIDERATION.

March 31, 1980

Bert Nagel
Box 843
Petersburg, Alaska 99833

Representative Alvin Osterbeck

I wish to express my opposition to H.R. 665. The passage of this bill would threaten the economic viability of many current permit holders as well as put additional stress on fishery resources and their management.

I'm a Bristol Bay permit holder. Last year was a good season: the price was high and the fish were there. This year, however, things aren't quite so rosy. Sure, there'll be plenty of fish but the collapse of the Japanese salmon (as well as crab and herring) market will result in my earning 40 or 50 percent of what I did in 1979. Still, if I'm lucky, if none of my equipment breaks down, if the canneries don't put me on a catch quota, and if the fish return predictions are correct, I might make a living from the coming season, not much more.

One must not lose sight of the forest for the trees; one must look beyond a sequential year or two to the economic viability of any given fishery whether it be in Bristol Bay or Southeast. The Bristol Bay fishery is a cyclic boom and bust phenomenon which tends to repeat itself in 5 year intervals: one good year, a near good year, and three poor ones. On the good season, perhaps with the help of the mediocre year, the fisherman is expected to earn enough money to finance his operations over a five year period. From this year on the viability of the wealthy Bristol Bay will better quickly evaporate.

Allowing more people into the business could hurt on the good years but on the bad ones, on the ones when the fishermen get by on the skin of their teeth, the increased competition would be financially ruinous for many current permit holders.

Further, this bill is unsound from the standpoint of resource management and threatens to exacerbate the quality control problems now facing the industry. Better prepare this year than in 1979, the processors still admit that the fishermen can catch more fish than they will be able to handle. If the current permit holders can readily supply all the fish that can be processed and more, to add more fishermen to the fleet would only increase the harvesting of fish which would ultimately go to waste and rot. Such practices are ecologically criminal.

I encourage you to vote no on H.R. 665; my vote goes to the man who does so.

Thank You,



Bert Nagel

March 29, 1980

POUCK V
Juneau, Alaska 99811

Dear Representative Alvin Osterback:

Regarding Bill HB665 to establish new application permits.

As you well know how things are this year, especially with a big run predicted, and we are looking at a dismal price projections for this coming year.

I understand considerable processors are cutting down on boats and many do not have a market. Also, the processors are using it as a wedge to keep prices down. Just imagine how many will suffer - also, by having less fishing time in future lean years.

Many of us have gone over our heads in debt by purchasing new boats and gear, as you will see in the bay this year. I know of two who purchased new boats and have no market.

Whoever did not apply for permits had two chances to do so in the past. They had equal opportunities.

Furthermore, I do not see where the Alaska Legislature should tell us how much we should ask for selling our business, because that's what it is - A BUSINESS!

Sincerely,

Robert A. Bonanno
Robert A. Bonanno
11 Robinsdale Road
Martinez, California
94553

March 28, 1980

Phil Daniel
Executive Advisor
United Fishermen of Alaska
197 South Franklin
Juneau, Alaska 99801

Dear Sir:

I just received a letter from you folks and must say I'm appalled to think that legislation is trying to increase the entry permits.

I fought for limited entry knowing that someday I would have to pay for the privilege of making a living in Alaska and the entry program was necessary to help insure that living.

I feel I was cheated once in the beginning by having to serve two years in the military, one in Vietnam. I did this at the time with no reservations because I believed we were in a just war only to find out it was not. Those two years could have meant a free permit for me. I care none to no job but was "lucky" to have landed a job later on a steaming vessel in Southeast Alaska.

After that year, I had the fishing fever and still do. I spent eight years in the fishing industry and then decided to venture into my own business of gillnetting. I sold literally everything I had including home, vehicles and almost all personal effects that I had collected so as I could fish. I competed with almost 300 gillnetters (free Pt.) for most of the year in an area that would support only half that number. After paying all debts, I was left with nothing which I accepted as dues especially for my first year of skippering.

Now I am being told that we stand a good chance of losing what we have because of a group of people who feel they deserve the right to fish. Where were they when limited entry began? I was working my rear off trying to get the money to operate a business and now I may lose what I have.

I don't understand why these special interest groups may get something for little or nothing, for something I paid for dearly and am still paying for. When will I see play mount something. What will happen to the fishermen in the end, the little guy who sweated blood for his opportunity to make a living. I've always been an optimist in my work - but find little to be optimistic about now.

I would like to donate money sincerely but I'm so broke that I'm having a tough time getting even enough money to start the fishing season.

cc: Phil Daniel
Executive Advisor, U.F.A.
Rep. Nelson Johnson
Rep. Alvin Osterback ✓
Rep. Terry Gardner
Senator Clem Pillion
Senator Bill Sumner
Senator George Holman

Respectfully yours,

Donald W. Bartlett
Donald W. Bartlett
P.O. Box 1
2916 E. Seaburn Rd.
Mount Vernon, WA

Representative Alvin Osterback

April-9-1980

Dear Mr. Osterback

May I have a moment of your time please to point up a few items of interest to consider before voting on HB-665.

By way of introduction, I am a resident of Anka Bay, Alaska and engaged in commercial fishing not part time but year around.

Limited Entry is here. You helped put it into effect. The year after its startup we were asked to prove we really wanted this program in its entirety. The choice was made. We wanted it to work just as it had been designed to do, limit the amount of gear in proportion to available stocks in each fishery.

As can be seen by the last several years fishery returns through limited Entry, the control of amount of gear, is working. Our returning runs are building.

Bristol Bay this year will be a bonanza. Remember several years back, these fishermen were asking the state for financial disaster aid, because of poor returns.

Happy days were on the way up.

Since we now know that a plus has been made with the Entry program, lets look at that program further.

Reflecting then on these factors, how can we possibly think of undermining a good working program, Limited Entry. Devastating and far reaching results will follow if we allow this bill, HB-665 into law. Bill after Bill will be introduced for each one who has a special interest.

The Limited Entry program was voted on by all of us, it passed the test. Let us not now start tearing it down. Let us instead strengthen that program to help build those runs in each fishery. Above all make it work as it was intended to - by controlling the amount of gear in the fisheries.

Thank you -

Eugen K. Holmstrand

Box 373

Auke Bay, Alaska 99821

APRIL 1, 1980

DEAR REP. OSTERBACK,

IN A YEAR WHEN THE PRICE OF FISH COULD BE HALF, THE COST OF FUEL DOUBLE, AND THE HEALTH OF MOST OF THE SALMON FISHERIES IS IN QUESTION, I FIND IT HARD TO BELIEVE THAT OUR LEGISLATURE IS CONSIDERING ISSUING MORE PERMITS. I REFER YOU TO HB 665, THE "LATE FILER" BILL PROPOSED BY NELS ANDERSON. THE PROBLEMS THAT WOULD ARISE IF SUCH A BILL WERE PASSED WOULD BE DEVASTATING AND FAR REACHING. JUST THE PROVING OF QUALIFICATIONS SEEMS AN IMPOSSIBLE TASK FOR EVEN INCOME TAX RECORDS ARE NOT AVAILABLE AFTER THIS LENGTH OF TIME. THEN TOO, CONSIDER BRISTOL BAY SET NET PERMITS WERE ISSUED AT "0" POINTS. YOU JUST HAD TO HAVE FISHED TO QUALIFY. THE NUMBER OF PERMITS ISSUED WOULD HAVE NO BEARING ON WHETHER THAT PARTICULAR FISHERY COULD HANDLE THAT AMOUNT OF EXTRA GEAR.

IT BEEMS TO ME THAT ONE OF THE REASONS THIS TYPE OF LEGISLATION HAS BEEN INTRODUCED IS TO APPEASE THE PUBLIC BY ALLOWING MORE PERMITS TO BE ISSUED. IN THE LIMITED ENTRY BILL, PROVISIONS FOR JUST THAT HAVE ALREADY BEEN MADE. IF SUFFICIENT RECOVERY OF A FISHERY WARRANTS ADDITIONAL PERMIT MAY BE ISSUED. THE CRITERIA

MUST BE ESTABLISHED AS TO WHAT CONSTITUTES
A RECOVERED FISHERY. BOTH BIOLOGICAL AND
ECONOMICAL FACTORS HAVE TO BE CONSIDERED.
AT PRESENT, THESE NEW-ISSUE PERMITS WOULD
BE AUCTIONED OFF TO THE HIGHEST BIDDER.
THIS STILL DOESN'T ADDRESS THE PROBLEM OF
MAKING THESE PERMITS MORE AVAILABLE TO THE
AVERAGE PERSON INTERESTED IN GETTING INTO THE
FISHERY. I FEEL AN APPRENTICESHIP PROGRAM
ALONG WITH A TARGETED LOAN PROGRAM COULD
HELP SATISFY THIS NEED. "LATE FILERS" COULD
APPLY FOR AN APPRENTICESHIP AND AS A HIGH,
FOR NAUTICAL AND FISHING EXPERIENCE WOULD BE
IMPORTANT QUALIFICATIONS.

I URGE YOU TO CONSIDER THIS SERIOUSLY
BEFORE A VOTE IS TAKEN ON HB 665.

SINCERELY,

Kerry J. Becker

KERRY J. BECKER, FISHERMAN (NON-PERMITTEE)
P.O. Box 373
PUKE BAY, ALASKA 99821



3/31/80

Representative Alvin Osterback
Juneau, Alaska

Dear Mr. Osterback,

I am writing to protest against passage of Bill HB 665, now before the state legislature. Passage of this bill would undermine limited entry by allowing a flood of new permits into fisheries that are already overloaded with gear, suffering from reduced fishing time and facing a depressed market in 1980.

As a permit holding fisherman in Bristol Bay I am not looking for an unfair advantage - just some consistency and stability within the system.

Please give limited entry a chance
to work by voting against HB 665.

Sincerely,

David Goh
South Natenek,
Alaska

3-31-80

Dear Representative Ostebach:

I am writing to you regarding HB 665, which would allow a large number of limited entry permits to enter into an already overcrowded fishery. I for one know because I have not been able to fish the Copper River Flats for the last two years and it looks like the same story this year. This is directly related to the amount of gear in that fishery. I know the Bristol Bay area predicts a big year but they have been known to have some real lean ones too. Would you want help that situation before we keep allowing more gear to come in. Let's see how this current limited entry works out. Before half of these recent applicants didn't even start fishing, until the permit prices went up, now everyone and their uncle wants to play fisherman. I realize there were

(2)

Some folks who missed out on permits that should be fishing today but there is already too many people in the game already. Because of the value of their permits, it forces them to stay and fish harder. Next step is, the powers that be will start cutting down our fishing time, length of year and the heart and spirit of the Alaskan fishermen who was out there long before limited entry came around. We need a break, we are all not hitting big season, like many are led to believe. At this time I ask that you vote against allowing any significant amount of gear into the fisheries.

Thank you very much.

Resident 16 years Tom Keenan

Fisherman 14 years 2716 FORE RD.

NACHOZGO AK 99607

P.S. Would you please discuss this with the other representatives or if it is tough to contact each and everyone of them. Thank you

HB665

Mms

April 1, 1980

The Honorable Alvin Osterback
House of Representatives
Pouch V
Juneau, Alaska 99811

RE: H B 665

Dear Mr. Osterback:

As the holder of entry permit SO3A 56637K, I would like to express my objection to any change in limited entry laws that would materially increase the number of permits.

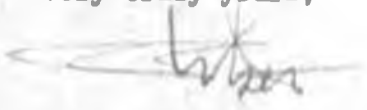
I am in the process of moving to Petersburg, and, of investing well over \$100,000 in the salmon fishery. This investment could not be justified if it were not for limited entry.

While regulation of the catch maintains the resource, limited entry maintains a viable and efficient harvesting industry.

Last year's excesses in Bristol Bay did not reflect a deficiency in harvesting capability. Rather, they demonstrated deficiencies in transportation and processing of the catch. More gear in the fishery would only have aggravated the problems.

Poor price expectations for 1980, in part, reflect a glut of relatively poor quality fish processed in 1979. Accordingly, you might do well to emphasize quality assurance programs to protect this vital aspect of the industry.

Very truly yours,



R. W. Isett
245 Park Lane - Apt. 210
Palatine, Illinois 60067

April 8, 1980

Dear Representative, A. Osterback:

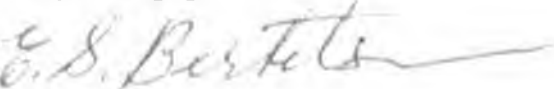
I respectfully urge you to vote against bill HB665, known as the "late filer bill". This bill presently before the legislature, if passed would create 560 new drift permits in the Bristol Bay drift fishery alone.

On the surface this bill looks good, in that it would create over 1200 new jobs in the Bristol Bay area alone, while increasing state revenues from license fees and income taxes. This bill would be god sent if the salmon runs are good every year. Unfortunately, this is not so. Lets look back to 1972, 1973 and 1974. In these years over 95% of the fishermen lost money in this area. In 1972, for example, 200 to 300 fishermen went home early on the verge of bankruptcy. (Please review the reprint of Anchorage Daily News enclosed.)

Presently, the companies operating in the Bristol Bay area cannot process the fish fast enough to keep up with the fishermen we now have fishing in these waters. When this happens, the fishermen are put on limit or are told not to deliver fish until they can catch up. What would happen if we had 560 new permits?

I would urge the state of Alaska to attract mor companies to process the fish that are caught before we can think of adding more permits.

Very truly yours,



E. S. Bertelsen

Representative Alvin Osterback

We, the undersigned, wish to protest HB-665 (the Late Filer Bill, which will grant approximately 500 additional permits for Bristol Bay alone). We feel that there are more than enough units of gear already fishing in Bristol Bay. Also, there are over one hundred sixty-five (165) known fishermen without markets at present.

We also feel that this bill would benefit more outside fishermen than residents, because the ratio of present drift permits is much higher for outside fishermen. With the present number of permits, the fishermen can catch all the fish that the processors can handle on good years, and on poor years we are on the beach because of too many fisherman for the fish available.

If this Bill is passed, 500 additional permits would put everyone in the fishery on a poverty level in the poorer cycle years, which is 3 out of 5.

Name	Address
<i>Michael M. Hatala</i>	<i>Box 58 Nuknek, Alaska 99633</i>
<i>Ben Angel</i>	<i>" 143 " " "</i>
<i>Theodore Baker</i>	<i>" 72 " " "</i>
<i>George Wilson</i>	<i>Box 198 " " "</i>
<i>John Ludgwick</i>	<i>Box 101 " " "</i>
<i>K.A. Johnson</i>	<i>Box 30 " " "</i>
<i>Just M. Piche</i>	<i>Box 5 " " "</i>
<i>Thomas P. Menden</i>	<i>Box 103 " " "</i>
<i>Nicholas Menden</i>	<i>Box 103 Nuknek, Ak</i>
<i>Wendell McLaughlin</i>	<i>Box 200 Nuknek, Ak</i>
<i>Daniel Agard</i>	<i>Box 171 Nuknek, Ak</i>
<i>John J. Loggill</i>	<i>Box 12 Nuknek, Ak</i>
<i>William Johnson</i>	<i>Box 127 Nuknek, Ak</i>
<i>Emile J. Anderson</i>	<i>Box 13 Nuknek, Ak</i>
<i>Ant. J. H.</i>	<i>Box 152 " " "</i>
<i>Ronald Majala</i>	<i>Box 206 " " "</i>
<i>John Menden</i>	<i>Box 15 Nuknek, Ak</i>
<i>Steve Lee</i>	<i>Box 39 Nuknek, Alaska</i>
<i>Anders J. H.</i>	<i>Box 55 Nuknek, Ak</i>

We, the undersigned, wish to protest HB-665 (the Late Filer Bill, which will grant approximately 500 additional permits for Bristol Bay alone). We feel that there are more than enough units of gear already fishing in Bristol Bay. Also, there are over one hundred sixty-five (165) known fishermen without markets at present.

We also feel that this bill would benefit more outside fishermen than residents, because the ratio of present drift permits is much higher for outside fishermen. With the present number of permits, the fishermen can catch all the fish that the processors can handle on good years, and on poor years we are on the beach because of too many fishermen for the fish available.

If this Bill is passed, 500 additional permits would put everyone in the fishery on a poverty level in the poorer cycle years, which is 3 out of 5.

Name	Address
Randy Briggs	Ugashik Alaska
William Asplund Jr.	Box 202, Naknek, Ak.
Bernadine Hadfield	Box 108, Naknek, Alaska
Wilmer B. Thompson	Box 103 " "
Robert S. Johnson	Box 109 " "
Stan Chmiel	Naknek, AK.
Clyde R. Dewey	Box 146 " "
John Lundgren Jr.	Box 101 " "
Robert F. Frazier	Box 107 " "
W. Hillman	Box 167, Naknek, Ak. 99633
Tim Cook	Box 142, Naknek, Ak. 99633
John C. Knutson	Box 143, Naknek, Ak. 99633
Helen M. Herrmann	Box 63, Naknek, Ak. 99633
Kenny C. Neuman	Box 63 Naknek, Ak. 99633
Wilbur Carlson	Box 2844 Kodiak Ak 99615
Rafel Ayon Sr.	Box 334 King Salmon Ak. 99613

MEMORANDUM

State of Alaska

TO: The Honorable Nels Anderson
Majority Leader
House of Representatives

DATE: February 25, 1980

FILE NO:

TELEPHONE NO:

FROM: The Commercial Fisheries Entry
Commission

SUBJECT: HB 665: Additional Appli-
cation Period for Limited
Entry Permits

SUMMARY

Based upon data reflecting participation of gear licensees during the years 1969 to 1974, the Commission staff has determined that there are approximately 4,144 known eligible individuals who failed to file a timely application during the application periods for the 19 fisheries originally placed under limitation. An unknown number of fishermen who operated gear from 1960-68 were also eligible to apply.

There were 602 individuals known to be eligible to apply in the Arctic-Yukon-Kuskokwim (AYK) fisheries who did not file timely applications. Those 6 fisheries were limited in 1976 based upon fishing histories in the years 1970 through 1975.

Of the number who failed to file timely applications during the various application periods, 393 submitted late applications for the original 19 fisheries, and 69 submitted late applications for the AYK fisheries. These applications were not accepted by the Commission.

Of the non-filers described above for the original 19 fisheries, 442 had pre-printed point totals at or above the current issuance levels for entry permits. In the AYK fisheries, 28 non-filers had pre-printed points at or above the issuance level.

The possible impacts of a new application period on selected fisheries is reflected by an analysis of the known non-filers in the Bristol Bay drift gill net and Kuskokwim gill net fisheries. We have estimated the probability of successfully verifying sufficient points to award a permit for all known non-filers with pre-printed histories. That analysis indicated a probability of 55¹ new permits being issued in the Bristol Bay drift fishery and 50² in the Kuskokwim fishery.

¹ 4 additional permits would be issued to non-filers with pre-printed points at or above the issuance level.

² 12 additional permits would be issued to non-filers with pre-printed points at or above the issuance level.

February 25, 1980

In determining the feasibility of providing a new application period we believe it is not possible or advisable to limit the affected class to less than all eligible applicants as defined in present law.

A large number of additional permits would likely have adverse effects on the economic health and stability of the fisheries, increase management burdens, be expensive for the State, and would cause considerable administrative burden. The precedential effect on future fisheries placed under limitation is of concern to us and the question of whether or not the new application period would affect limited herring fisheries should be considered. Also, it was impossible to determine the number of additional individuals who may be eligible to apply based upon participation from 1960 to 1968. Every eligible applicant would have an excellent chance of being awarded a permit in many of the set gill net fisheries.

Should the Legislature decide to provide a new application period, the Commission offers the following suggestions for consideration as possible statutory provisions:

1. permits be issued only to those who can demonstrate they would suffer significant economic hardship by exclusion from the fishery;
- ✓ 2. the new class of permits would be non-transferable;
3. evaluation of the new applications be stayed until the original application process has been completed; *4200,000 by FY1*
- NOA. the new permits would be usable only in years when the predicted returns are higher than the average for the particular fisheries;
- ✓ 5. *regulate* prohibit the award of multiple permits to the same applicant;
6. provide for permits awarded via point-pooling be non-transferable;
7. applicants under the new application period would not be eligible for interim-use permits pending the outcome of point verification;
8. provide that estates not be eligible to apply; and
9. provide that each provision of the new legislation be non-severable from the rest.

HISTORY

Nineteen (19) salmon fisheries were the first fisheries subject to entry limitation. They included all net fisheries (except those in the AYK region) and the statewide power troll fishery. After establishing a maximum number for each fishery, an application period began in November 1974 and ended in April 1975. Persons with known participation as gear licensees from 1969 to 1972 were sent "yellow cards" indicating that they were eligible to apply for permits and could use a detachable portion of the yellow card to request a pre-printed application from the Commission. Yellow cards were also made generally available throughout the State. Upon receipt of a yellow card, the Commission would print information about the applicant and as many points as could be determined from state records on an application form. (Points were pre-printed in the categories of past participation and consistent participation in 1969 through 1972, residency, and vessel ownership. No income dependence points were pre-printed.) These pre-printed applications were sent to the requestors at the addresses provided on the returned portions of the yellow cards. Any interested person could also obtain a blank application in any of the numerous locations around the state.

In 1976, the Commission brought under limitation the six salmon fisheries of the AYK region. All known eligible applicants, based upon participation data from 1970 through 1975, were mailed pre-printed applications at their last known address. The application period for these fisheries ran from March 10 to June 10, 1976.

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Isakson

A Supreme Court ruling allowed those persons who were licensed gear operators for the first time in 1973 and 1974 to apply for entry permits in the original 19 fisheries. This so-called Isakson application period ran from January through September of 1977. People who had recorded landings as gear licensees during this period and who did not have recorded participation in the period 1969 to 1972 were sent application packets.

Non-Filers

Utilizing the computerized records of fishing histories from 1969-74 for the original 19 limited salmon fisheries and 1970-75 records for the AYK salmon fisheries, and the various application files of the Commission, we have estimated that at least 4,785 additional eligible applications could have been timely submitted in all salmon fisheries limited through 1976. A more detailed analysis follows:

Original 19

Commission records indicate that 4,142 applications could have been submitted by fishermen with fishing histories in the years 1969-74. Of that total, 442 have pre-printed point totals at or above the issuance levels for the various fisheries. The Commission also received requests for pre-printed applications from 1,817 people

without a history of participation during that time period. A more detailed breakdown of the status of various non-applicants follows:

1. 511 pre-printed applications were mailed to eligible applicants at their request, but were not returned to the Commission;
2. 2,306 known eligible applicants with fishing history during the period 1969-72 did not contact the Commission;
3. 934 persons who may have been eligible to apply during the Isakson application period did not return applications that were mailed to their last known addresses;
4. 181 applications with pre-printed points were returned late and were not accepted;
5. 279 applications were received late and not accepted from individuals for which the Commission had no computerized history of participation;
6. 1,817 individuals without computerized histories requested applications but did not return them;
7. 574 AYK applications were mailed with pre-printed history but were not returned to the Commission.

Bristol Bay Drift Gill Net

We have completed a probability analysis for the Bristol Bay drift gill net fishery to estimate how many eligible applicants that have pre-printed point totals below the issuance level for that fishery (17 points) might eventually verify sufficient points to receive a permit if a new application period was established. This was accomplished by determining the success rate of all applicants who

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submitted applications with from 0 to 16 pre-printed points. Based upon that analysis, we estimate that 551 applicants would receive permits for this fishery. This total, plus four applications with more than 16 pre-printed points, could result in an additional 555 drift permits in the Bristol Bay fishery if another application period were opened utilizing the same standards of issuance as utilized in the original application period.

AYK

In the 6 AYK fisheries, 574 pre-printed applications were not returned to the Commission. As of January 21, 1980, an additional 28 applications with pre-printed points were returned late and were not accepted. Also, 41 applications with no pre-printed history were received late.

Of the 602 unaccepted and known eligible applications, 24 have sufficient pre-printed points to automatically receive a permit at present issuance levels. An additional 11 have point totals at a level insufficient to receive a permit at present but may eventually qualify for one depending upon the outcome of adjudications and appeals.

Kuskokwim Gill Net

We have completed a probability analysis for the Kuskokwim gill net fishery in the same manner as was explained for the Bristol Bay drift gill net fishery. Besides the 12 applications which currently have pre-printed points totals above the issuance level,

The Honorable
Nels Anderson

(7)

February 25, 1980

we have estimated that an additional 50 applications would eventually be awarded sufficient points to receive a permit. This makes a possible total of 62 additional permits in this fishery.

SUMMARY OF LATE APPLICATION DATA BY FISHERY

(Original Nineteen Fisheries)

Fishery	Eligible ¹	Eligible ²	Received Late ³		Total ⁴	Automatic Issue ⁵		Total ⁶
	Requested	No Request	Elig.	Inelig.		Resident	Nonresident	
Southeast Purse Seine	11	45	1	4	61			0
Southeast Drift Net	29	92	6	7	134			0
Statewide Power Troll	61	308	8	11	388	2	0	2
Yakutat Set Net	14	33	3	6	56	2	0	2
Prince William Sound Purse Seine	13	38	2	8	62			0
Prince William Sound Drift Net		177	7	6	231	1	0	1
Prince William Sound Set Net	6	5	0	1	12	7	2	9
Cook Inlet Purse Seine	3	18	0	0	21	1	0	1
Cook Inlet Drift Net	46	228	22	29	324	2	1	3
Cook Inlet Set Net	32	139	4	5	180	34	2	36
Kodiak Purse Seine	16	130	7	7	161	1	0	1
Kodiak Beach Seine	1	13	0	1	15	11	0	11
Kodiak Set Net	12	71	4	4	91			0

<u>Fishery</u>	<u>Eligible¹</u>	<u>Eligible²</u>	<u>Received Late³</u>		<u>Total⁴</u>	<u>Automatic Issue⁵</u>		<u>Total⁶</u>
	<u>Requested</u>	<u>No Request</u>	<u>Elig.</u>	<u>Inelig.</u>		<u>Resident</u>	<u>Nonresident</u>	
Chignik Purse Seine	1	5	1	8	15			0
Peninsula-Aleutian Purse Seine	7	27	0	8	42			0
Peninsula-Aleutian Drift Net	5	41	1	6	53			0
Peninsula-Aleutian Set Net	6	17	0	7	30			0
Bristol Bay Drift Net	151	602	60	65	878	9	0	9
Bristol Bay Set Net	56	317	27	55	454	263	106	369
TOTAL:								444

¹ Applications with pre-printed points for the years 1969 through 1972 which were requested on yellow cards and mailed to the applicants, but which were not returned to the Commission.

² Applications with pre-printed points for the years 1969 through 1972 which were not requested by the applicants, not mailed, and for which no "blank" applications were submitted.

³ Applications received late and not accepted by the Commission. Eligible applications are those with pre-printed history for 1969 through 1972. Ineligible applications are those with no pre-printed history. Figures through January 21, 1980.

⁴ Total applications in preceding four columns.

⁵ Number of permits that would be automatically issued (at current point levels) to the preceding non-filers and late applicants if they were allowed to apply in a new application period. Residency was determined by the most current address on file with the Commission, 1969-1980.

⁶ Total number of permits with pre-printed points above the current issuance levels.

SUMMARY OF LATE APPLICATION DATA BY FISHERY

(Arctic-Yukon-Kuskokwim Fisheries)

<u>Fishery</u>	<u>Eligible¹ Applications Not Submitted</u>	<u>Eligible² Applications Submitted Late</u>	<u>Ineligible³ Applications Submitted Late</u>	<u>Total⁴</u>	<u>Automatic⁵ Issue</u>
Upper Yukon Gill Net	18	1	6	25	0
Upper Yukon Fishwheel	20	5	14	39	0
Kuskokwim Gill Net	178	8	8	194	12
Kotzebue Gill Net	83	3	1	87	8
Lower Yukon Gill Net	191	9	7	207	6
Norton Sound Gill Net	84	2	5	91	2

¹ Mailed applications with pre-printed points for the years 1970 through 1975 which were not returned to the Commission.

² Applications with pre-printed points for the years 1970 through 1975 which were submitted late and not accepted.

³ Applications with no pre-printed history which were submitted late and not accepted.

⁴ Total of the preceding three columns.

⁵ Total number of permits that would be automatically issued at current point levels if the applications were submitted in a new application period. Does not include the eleven applications which, if submitted, would be still pending a final decision in certain fisheries.

PROBABILITY OF PERMIT ISSUANCE TO ELIGIBLE LATE APPLICANTS
 BY PRE-PRINTED POINT LEVEL FOR THE
 BRISTOL BAY DRIFT GILL NET FISHERY

Pre-Printed ¹ Point Level	Number ² Awarded	Number ³ Denied	Total Number ⁴ Received	Percent ⁵ Awarded	Late and ⁶ Non-Applicants	Projected Awards
16	165	1	166	99.40%	9	8.95
15	89	0	89	100.00	3	3.
14	79	2	81	97.53	12	11.7
13	51	0	51	100.00	8	8.
12	46	2	48	95.84	5	4.8
11	105	11	116	90.52	30	27.2
10	75	6	81	92.60	10	9.3
9	60	5	65	92.31	31	28.6
8	58	9	67	86.57	25	21.65
7	34	10	44	77.28	18	13.9
6	53	20	73	72.61	61	44.3
5	75	42	117	64.11	112	71.8
4	25	7	32	78.13	26	20.3
3	58	42	100	58.00	205	118.9
2	19	22	41	46.35	80	37.1
0*	38	28	66	57.58	211	121.5
	1,030	207	1,237		846**	551

Pre-printed above issuance level: 4

TOTAL: 555

- 1 Points were pre-printed based upon fishing data from 1969 through 1972 in the areas of past participation, consistent participation, residence, and vessel ownership. No points were pre-printed for the years 1960 through 1968 or income dependence and crewman participation in any year. In this fishery a very high percentage of fishermen were awarded income dependence points. (This factor, together with the 1960-1968 history, accounts for the high probability of permit issuance.)
- 2 Actual number of applications awarded permanent entry permits.
- 3 Actual number of applications denied permanent entry permits. This figure includes those applications still in the hearing and adjudication processes and those that were denied due to late submittal.
- 4 Total number of applications received by the Commission for each point category below the present issuance level.
- 5 Percent of the total applications received that were awarded permanent entry permits. This percent is the estimate of the probability of issuance of an entry permit at each point level.
- 6 Number of eligible applications (with pre-printed history for the years 1969-1972) which were either not submitted or submitted late.
- 7 Number of permits that would be awarded if the eligible non-applicants and late applicants submitted applications in a new application period, as projected by the probability of issuance of a permit at each point level below automatic issuance.

- * Multiple Operators - more than one fisherman using the same ADF&G number. Individuals with no history other than as multiple operators were printed out at zero points.
- **We believe there is a possibility of at least a 5% error in this estimate, due to an inability to verify the number of eligible non-filers using the application control log books.

PROBABILITY OF PERMIT ISSUANCE TO ELIGIBLE LATE APPLICANTS
BY PRE-PRINTED POINT LEVEL FOR THE
KUSKOKWIM GILL NET FISHERY

<u>Point¹ Level</u>	<u>Number² Awarded</u>	<u>Number³ Denied</u>	<u>Number⁴ Pending</u>	<u>Total⁵ Received</u>	<u>Percent⁶ Awarded</u>	<u>Late and⁷ Non-Applications</u>	<u>Projected⁸ Awards</u>
7 ⁴	6	0	1	7	86	2	1.7
6	31	6	4	41	76	21	16.0
5	86	27	10	123	70	24	16.8
4	5	5	0	10	50	7	3.5
3	15	73	30	118	13	69	9.0
2	2	21	0	23	9	26	2.3
1	1	38	0	39	3	25	.8
							<u>50.1</u>
						Pre-printed above issuance level:	<u>12</u>
						TOTAL:	62

- ¹ Points were pre-printed based upon fishing data from 1970 through 1975. Unlike the original nineteen fisheries, AYK fisheries points were pre-printed for all of the qualifying years.
- ² Actual number of applications awarded entry permits.
- ³ Actual number of applications denied entry permits. This figure includes those applications still in the hearing and adjudication processes and those applications that were denied due to late submittal.
- ⁴ Number of applications pending a final determination of the issuance point level in this fishery. At present, all applications with 6 or fewer points are denied, all applications with 8 or more points are awarded, and applications with 7 points are issued interim-use permits pending final determination of their eligibility for an entry permit.
- ⁵ Total number of applications received by the Commission in each point category below the present issuance level.

- 6 Percent of the total applications received that were awarded permanent entry permits. This percent is the estimate of the probability of issuance of an entry permit at each point level below automatic issuance.
- 7 Number of eligible (with pre-printed history for the years 1970-1975) applications which were either not submitted or submitted late.
- 8 Number of permits that would be awarded if the eligible non-applicants and late applicants submitted applications in a new application period, as projected by the probability of issuance of a permit at each point level.

EQUITY

This section will discuss several issues which bear heavily on the question of whether another application period is necessary or desirable. The Commission realizes the likely possibility that a class of fishermen may exist who, through no fault of their own, did not take full advantage of the application process because they did not comprehend the importance of the one-time-only application process, did not know that they could submit multiple applications, or were geographically located in such a place as to not hear of the implementation of limited entry. However, there is an even larger class of eligible fishermen who did not submit applications because of a conscious decision not to apply for as many reasons as there are members of this class. After several attempts to distinguish the first group from the second, the Commission is convinced that no fair and equitable way can be devised to allow a specific class of persons to apply while excluding others who are similarly situated. Additionally, we believe that use of the application process as a means of screening out otherwise eligible applicants is a misuse of the methodology utilized to limit entry into commercial fisheries. The major criteria should be the relative hardship realized by exclusion rather than who will and will not be allowed to apply.¹ Following is a discussion of several factors that will be affected by the passage of HB 665.

¹ The Commission obviously believes that the class of eligible applicants should be limited to gear operators, since they are the only class specifically addressed by the limited entry law.

Biological Impact

One of two prime considerations of entry limitation is to ease or arrest the growth of pressure of exploitation on a biological resource. At present, the salmon fisheries are subjected to greater fishing pressure than any time in recent history. This is due to the establishment of high maximum numbers, an overage of permit issuances due to court rulings, and increased individual fishing pressure through greater capital investment (resulting in higher efficiency) and increased average individual fishing time. Further issuance will increase management costs and uncertainty.

Economic Impact

The other primary consideration of entry limitation is to create an environment of economic stability which will not exist in an open entry fishery. Additional permits will increase the cost of harvesting the same number of fish (thus diminishing the value of a public resource) and could affect the value of existing permits which have been freely transferred. It should be noted that Bristol Bay has been declared a disaster area several times with the present level or fewer units of gear participating in the fishery.

Availability of Evidence

The establishment of relative hardship is accomplished by measuring several indicators in the two general areas of past participation and economic dependence, and ranking individuals by use of

a point system. Specific evidence is required to verify point claims. Valuable evidence is embodied in tax records, records of expenses, and records of gear and vessel ownership as of certain dates. Much documentary evidence that was available in 1975 at the close of the original application period will now no longer be available. Federal and State tax records for the crucial years of 1971 and 1972 have been destroyed or are in the process of being destroyed by the responsible government agencies.

Consequently the Commission would have to accept less conclusive evidence to treat new applicants in a manner similar to the original applicants, which would have the concomitant disadvantage of subjecting the system to more frequent occurrences of fraudulent claims. Should this indeed prove necessary, we believe that the estimate of an additional 555 permits in the Bristol Bay drift gill net fishery is realistically possible.

Low Issuance Levels

A number of set gill net fisheries had original permits issued at either very low point levels, or zero points in the cases of the Bristol Bay and Prince William Sound set net fisheries and the Kodiak beach seine fishery. If a new application period is established, these fisheries could realize phenomenal increases in effort now that there is general knowledge of the value of entry permits. The situation is exacerbated by the large, unknown number of fishermen who participated prior to 1969 and who did not submit original applications

because they had departed from the fisheries. It is safe to assume that a great number of those individuals would take advantage of a new application period.

Legal Issues

The Commission has defended in court both the notice provided of the application periods and the efficacy of the application assistance programs. In all three Superior Court rulings, the Commission efforts have been upheld. If the Legislature suggests that the necessity of the new application period is due to the failure of the Commission to fulfill its responsibility to supply adequate notice or assistance, it would destroy a precedent that we believe the Commission needs to preserve.

As presently drawn, the bill would allow the estates of all eligible applicants who have died since January 1, 1973 to apply during the new application process. Additionally, the passage of HB 290 provided for point pooling and would allow additional permits to be issued as a result of combining points from new and timely applications.

Expense

Another application process would cost a substantial amount for the Commission to administer, especially considering the great interest in the program at this time, and because of the high hearing rate that can be expected in response to the loss of otherwise verifying evidence.

600 Applications Still Pending

Another application period at this time could cause additional expense and uncertainty for those applicants from the original application period who are still awaiting a final decision from the Commission. At the least, we would hope that their interests would be provided for before giving special consideration to a new class of applicants who had the same application opportunities as the original applicants.

Late Application Handling

We have reviewed Commission records of late application handling at the close of the original application periods. After the regulatorily established deadlines, the Commission provided for a period when applications could be accepted for good cause. The Commission was very lenient in accepting applications during this period. There was a changing policy, however, if applications were received after the good cause period. After the original good cause period which ended in 1975, the Commission first responded to late applicants by saying that they had "no discretion" to accept late applications. Later, some applications were accepted through special showings. Most recently, we have utilized a two-part test to determine whether or not late applications should be accepted. Hence, all late applicants were not treated equally. This will be true of any quasi-judicial agency, however, just as a court of law develops new precedents in time.

Unequal Opportunity

Even though it would seem that late applicants might generally have the same opportunity as the original applicants, they would generally have an advantage over many of the original applicants. As the Commission has progressed through several hundred adjudications, and the courts have overturned some Commission regulations and interpretations, new rules have developed. Points that would not have been awarded under the original application program would now be available to new applicants. So long as the benefits of the new rules only accrued to a few, it did not dramatically affect the equities of the situation. However, a whole new class of applicants would all benefit from the new rules, to the comparative disadvantage of those who submitted timely applications and were denied permits.

One-Time-Only

While we may all wish to believe that giving everyone one more chance would provide for the ultimate fairness, it most probably would not be a one-time-only demand for such a second chance. Already, roe herring fisheries have been limited and some eligible fishermen missed the application deadline. Would this new application period apply to those individuals as well?

We also worry about the precedential considerations for all fisheries limited in the future. Will, or should, the fishing public expect the Legislature to provide one more opportunity to apply after each fishery is limited? It is clear that the greatest number of late and

The Honorable
Nels Anderson

(21)

February 25, 1980

non-applicants will be associated with the original salmon fisheries that were limited. As long as the present system is utilized, there will be some fishermen who do not file timely applications in the future when additional fisheries are limited. You may wish to reevaluate the use and necessity of the present application process to ameliorate future application deadline problems.

FURTHER CONSIDERATION

Should the Legislature decide that the equities lie with establishing a new application period, then we offer the following suggestions for your consideration to mitigate the possible negative impacts of such a decision.

Non-Transferrable Permits

Many fishermen advise the Commission that if they could get a permit they would not sell it, but only want to fish until retirement. If this attitude is embodied in the minds of those who would be served by the new application period, then non-transferrable permits would not be seen as detrimental. Additionally, non-transferrable permits would not interfere with the present system of free transfer of permits.

Should you wish to pursue this point in more detail, you might also consider providing a mechanism for the Commission to reissue these non-transferrable permits based upon some hardship ranking system, or simply to have them retire with the holder.

Should the Legislature decide that these permits are to be freely transferable, then you may wish to consider some way to recover for the State some portion of the windfall benefit which is being given to the late applicants.

Different Issuance Standards

The Commission believes that many fisheries would be drastically harmed if a new application period were established utilizing the same

standards of issuance as used in the original application periods. We feel it is imperative to raise the standards of issuance for this class of applicants.

AS 16.43.250(b) provides for the establishment of a class of persons who would suffer significant economic hardship if excluded from the fishery, and AS 16.43.270(a) directs the Commission to issue permits to every applicant in this class regardless of whether that would require issuing more than the maximum number established for a fishery. You may wish to consider requiring that a new applicant, in order to qualify for a permit, must meet the standards established by the Commission in implementing AS 16.43.250(b).

New Applications Considered After Final Classification of Original Applications

To ensure fair treatment for those applicants still awaiting final agency action on their applications, we request that you provide for evaluation of the new applications only after final evaluation of the timely submitted applications.

Special Use Standards

In addition to providing for non-transferable permits as suggested above, you may wish to consider limiting the use of permits issued under the new application period. One example would be to provide for the Commission, in conjunction with the Department of Fish and Game, to allow these permits to be fished in years when conditions are better than average for a particular fishery.

Prohibition of Awards of Multiple Permits

If it is the Legislature's intent to alleviate hardship with the passage of this legislation, you may wish to consider prohibiting the award of a permit to an applicant who has previously received a permit by application. To receive one permit by application indicates that the applicant was at least aware of the necessity to submit a timely application. Those applicants who for some reason were constrained from applying in all fisheries for which they were eligible most likely applied in the fishery that they were most interested in.

Point Pooling

The provisions of an amendment enacted last year would allow points from these new applications to be pooled with points on any other application submitted by that fisherman so long as the same gear type was involved. If it is the Legislature's intent to allow point pooling to be applicable to applications submitted under HB 665, we suggest that you consider providing for such permits to be non-transferable.

Ineligible for Interim-Use permits Pending Final Evaluation

Present legislation provides for the Commission to allow those applicants who still have a mathematical possibility of receiving an entry permit to fish in the pendency with an interim-use permit. We have found that the durational use of these interim permits is often a primary motive for pursuing an application which will more than

likely be denied. We strongly urge that the Legislature preclude the issuance of interim permits to new applicants who are awaiting final agency action.

Estates

We suggest that you consider changing the qualification characteristics from those presently provided for in AS 16.43.260. That language would allow the estates of all eligible fishermen who have died since January 1, 1973 (for the original 19 fisheries) or January 1, 1976 (for the AYK fisheries) to apply for entry permits. This change is especially valid if you wish to implement the suggestion of providing for non-transferable permits.

Non-Severability

Should you decide that some conditions be placed on any permits issued as a result of a late application period, and that those conditions are tantamount to achieving something resembling equity, then you may wish to add a non-severability clause to the conditions.

Buy-Back

It would seem quite evident that the 1973 Legislature believed that the Commission would initiate a buy-back program shortly after the salmon fisheries were limited. Now, seven years later, buy-back is still some time in the future. Should you decide to allow for additional permit issuance through a supplementary application period, we

The Honorable
Nels Anderson

(26)

February 25, 1980

would suggest that the Legislature consider the question of buy-back and when it might be appropriate to begin the process.

We hope that our comments are of some use. Please do not hesitate to ask if we may be of further assistance.

For an Act entitled; "An Act relating to the limitation of entry into various fisheries; and providing for an effective date."

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

Section 1. FINDINGS. The Legislature finds that

- (1) many persons who are otherwise qualified for entry permits into certain fisheries have not received them solely because of their failure to submit an application to the Alaska Commercial Fisheries Entry Commission before the closing date for applications set by the Commission in accordance with AS 16.43.260(b);
- (2) many persons whose past participation in and economic dependence upon certain fisheries, measured under AS 16.43.250 and the regulations promulgated thereunder, demonstrates that they would suffer hardship by exclusion from the fisheries, were not adequately notified of the nature of a limited entry fishery or the significance of the original application period;
- (3) in order to prevent economic distress among fishermen and those dependent upon them for a livelihood, to regulate entry into the commercial fisheries without unjust discrimination, and to ensure that permits are awarded on the basis of hardship, as defined by AS 16.43.250, it is necessary to ensure that persons who were eligible for permits but who were not given adequate notice as to the nature of a limited entry fishery or the significance of the original application period are not denied permits solely because of a failure to apply in a timely fashion;
- (4) the factors relevant to a determination in a given fishery as to whether adequate notice was given of the nature of a limited entry fishery and the significance of the original application period are
 - (a) the percentage of eligible applicants who failed to timely file applications in the fishery,
 - (b) the average educational level of persons eligible to apply in the fishery and any cultural and language barriers to an understanding of the nature of a limited entry fishery or the significance of the application period,
 - (c) the communications system available during the application period to publicize limited entry and the closing date for applications, and
 - (d) the availability and effectiveness of outreach assistance in those areas in which such assistance would be reasonably necessary for the completion of applications;

fisheries, it is apparent that many persons were not adequately notified of the nature of a limited entry fishery and of the significance of the original application period, and that it is necessary to provide for a new application period in those fisheries in order to prevent economic distress among fishermen and those dependent upon them for a livelihood, to regulate entry into the commercial fisheries without unjust discrimination and to ensure that permits in that region are awarded on the basis of hardship as defined in AS 16.43.250;

(6) the number and percentage of eligible applicants failing to timely file applications for entry permits is significantly less in fisheries other than those in Bristol Bay, and insufficient information is available to determine the adequacy of notice in those fisheries, it is therefore necessary to establish a process for the Commission to investigate these fisheries for the purpose of making such a determination.

Section 2. PURPOSE. It is the purpose of this act to direct the Alaska Commercial Fisheries Entry Commission to accept applications for entry permits in the Bristol Bay salmon fisheries and to establish a process for determining whether adequate notice was given in the other salmon fisheries of the nature of a limited entry fishery and the significance of the original application, by reference to the factors listed in section 1 of this act, in order to prevent economic distress among fishermen and those dependent upon them for a livelihood, to regulate entry into the commercial fisheries without unjust discrimination and to ensure that permits are awarded on the basis of hardship.

Section 3 APPLICATIONS FOR ENTRY PERMITS IN BRISTOL BAY.

(a) Notwithstanding the provisions of AS 16.43.260(b), the Commission shall accept applications for entry permits for the Bristol Bay salmon fisheries from all persons who meet the eligibility requirements of AS 16.43.260(a) but who failed to apply within the time period established by the Commission. Persons who have previously submitted applications to the Commission after the closing date but before the effective date of this Act shall be considered to have applied under this section. The application period established by this section shall open on the effective date of this act and close on December 31, 1980.

(b) The Commission shall process applications received under this Act in accordance with its regulations applicable to the fishery into which entry is sought, except that a reasonable period of time is to be afforded for the

submission of supporting evidence. Permits shall be issued to persons applying under this Act who demonstrate hardship equal or greater than that shown by persons previously issued permits in that fishery notwithstanding the fact that such issuance causes the maximum number established by the Commission under AS 16.43.230-240 to be exceeded. This section does not authorize the Commission to revoke a permit previously issued.

Section 4. APPLICATIONS FOR ENTRY PERMITS IN SALMON FISHERIES OTHER THAN BRISTOL BAY.

The Commission shall research each salmon fishery which is subject to limited entry as of January 1, 1980, for the purpose of determining whether adequate notice was given as to the nature of a limited entry fishery and the significance of the original application period, utilizing the factors set forth in section 1 of this Act. The Commission shall annually prepare a report to the Legislature recommending in which fishery a new application period should be established and the scope and extent of the application period. The Commission shall have researched all fisheries and made its recommendations pursuant to this section by January 1, 1983.

4/18/80

TELECONFERENCE HEARINGS



* PST

TELECONFERENCE CONTACT SHEET

TAKEN BY deborah

TOPIC: 'LIMITED ENTRY'

CONTACT ADENHARD

COMMITTEE: House Resources

PHONE 3738

DATE: ~~3/18/80~~ DAY: Thursday

DATE SCHEDULED 3/3/80

TIME: ~~10:00 AM~~ SCHEDULED DURATION: 2 hrs
3 PM

LOCATION VALDEZ

MODERATOR PAT HICKOK

SITES PARTICIPATING:

CONFERENCE MODE: Audio Video

PUBLICITY:

PERSONS PARTICIPATING

SITE

chairman: REP. OSTERBACK

JUNEAU

Invitational

Committee making contacts

PSAs date quantity

News Release date quantity

Summary to be provided

Text to be provided

Quotes to be provided

Direct Mail date quantity

Phone date quantity

Post at Info. Office

Post other local locations

SPECIAL NOTES:

*info. on exact # of sites to be supplied

JUNEAU LOCATION:

Rm. 119

POST-TELECONFERENCE NOTE:

Participants 3

Observers 16

Total 19

Alaska State Legislature

TELECONFERENCE HEARINGS



DATE: March 3, 1980

LOCATION: VALDEZ, ALASKA

SUBJECT: LIMITED ENTRY

NAME	REPRESENTING	ADDRESS	PHONE	HERE TO OBSERVE	HERE TO TESTIFY
Walter Day	myself	Box 448 Valdez	935-4218		✓
Robert Day	Pat Day	Box 101 Cordova	424-3355		✓
Peggy Day	myself	Box 788 Valdez	835-4110		✓
Laurie A Day	self	Box 788 Valdez	935-4404		✓
Ed Saturn	"	Box 213 Valdez	924-4559	✓	
Ronald L. Ferrier	"	Box 434 Valdez	935-4550	✓	
Heleen Long	✓	Box 503 Valdez	—		
Del Ferris	✓	Box 272 "	935-4158		
Bob Heltness		Box 213	835-4539		
Janet Heltness		Box 728 Valdez	835-4110	✓	
Nancy Ann Collins	self	Box 422 Valdez	835-4413	✓	?

TELECONFERENCE HEARINGS



Please Print.
To be returned to Teleconference Moderator.

PARTICIPATION FORM

NAME Patrick A Day

Here to Testify

REPRESENTING SELF

Here to Observe

MAILING ADDRESS P.O. Box 788 zip 99686

TELEPHONE NUMBER 835 4404

BROADCAST CONSENT: This proceeding may be broadcast live or recorded for later broadcast by radio or television stations. Please indicate your consent by signing below:

Patrick A Day
(signature)

EVALUATION: Have you participated in other legislative teleconferences? No If so, how many? _____

How did you learn about this hearing?
SENATOR PERTTILA

Would you have participated in this hearing if the network were not available? YES

If yes, did you use the network
_____ instead of travel
_____ instead of phone conversations
 instead of mailed testimony?

Are you also providing written testimony? No

DATE 1/20/80 SUBJECT ABGGS LOCATION VALDEZ

TELECONFERENCE HEARINGS



Please Print.
To be returned to Teleconference Moderator.

PARTICIPATION FORM

NAME Peggy Day

Here to Testify

REPRESENTING myself

Here to Observe

MAILING ADDRESS Box 788, Valdez AK zip 99686

TELEPHONE NUMBER 907(835-4404)

BROADCAST CONSENT: This proceeding may be broadcast live or recorded for later broadcast by radio or television stations. Please indicate your consent by signing below:

Peggy Day
(signature)

EVALUATION: Have you participated in other legislative teleconferences? no If so, how many? _____

How did you learn about this hearing?
Sandra Ruthven R.P. Anderson

Would you have participated in this hearing if the network were not available? no

If yes, did you use the network
_____ instead of travel
_____ instead of phone conversations
X instead of mailed testimony?

Are you also providing written testimony? yes

DATE 11-2-88 SUBJECT HR 665 LOCATION VALDEZ

TELECONFERENCE HEARINGS



Please Print.
To be returned to Teleconference Moderator.

PARTICIPATION FORM

NAME Robert E. Day

Here to Testify

REPRESENTING Pat Day

Here to Observe

MAILING ADDRESS Box 64 CORDOVA, AK zip 99574

TELEPHONE NUMBER 424-3355

BROADCAST CONSENT: This proceeding may be broadcast live or recorded for later broadcast by radio or television stations. Please indicate your consent by signing below:

Robert E. Day
(signature)

EVALUATION: Have you participated in other legislative teleconferences? NO If so, how many? _____

How did you learn about this hearing?
Senator Hirtulla

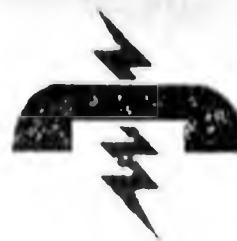
Would you have participated in this hearing if the network were not available? YES

If yes, did you use the network
_____ instead of travel
_____ instead of phone conversations
 instead of mailed testimony?

Are you also providing written testimony? Yes

DATE 1/22 & 23/80 SUBJECT APL Sunset Review LOCATION Anchorage
33 HB 665 VALOR

TELECONFERENCE HEARINGS



Please Print.
To be returned to Teleconference Moderator.

PARTICIPATION FORM

NAME [Handwritten Name]

Here to Testify

REPRESENTING myself

Here to Observe

MAILING ADDRESS Box 4218 Valdez Alaska Zip 99686

TELEPHONE NUMBER 877-4718

BROADCAST CONSENT: This proceeding may be broadcast live or recorded for later broadcast by radio or television stations. Please indicate your consent by signing below:

[Handwritten Signature]
(signature)

EVALUATION: Have you participated in other legislative teleconferences? Yes If so, how many? 2

How did you learn about this hearing?
[Handwritten Answer]

Would you have participated in this hearing if the network were not available? No

If yes, did you use the network
 instead of travel
 instead of phone conversations
 instead of mailed testimony?

Are you also providing written testimony? No

DATE March 22 SUBJECT Home Bill 655 LOCATION Valdez

Send
To H. Resources

ANCHORAGE

LA11 1323 10.37 JAG1 0027 10.56 03/04/89

TO BUYE
FR KATHI

WITNESSES AT HOUSE RESOURCES HEARING, HB 630, 631 & 665

ROBERT J. ROWAN
JACK McLEAN (FOR FRANK CORREA)
MIKE HOUGH
NICK SHUKALOFF
DOUGLAS POPE
BOB LOHR
DET. ROBERT BROWN



P. O. Box 578
Girdwood, Alaska 99587
April 17, 1980

Representative Alvin Osterback
Pouch V
Juneau, Alaska 99811

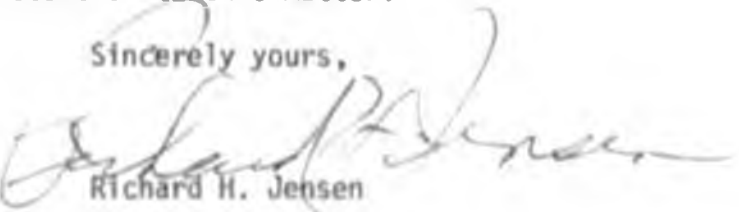
Dear Alvin:

I have been trying to get my limited entry permit since 1974, when I was ill-advised by Commissioner Jay Stovall that I did not qualify. The enclosed letter is the latest sent to the Commission; it is in reply to their denial of my application. The second letter is a copy of the reason for my late application and outlines the tremendous amount of research I have accomplished while compiling data to support my claim. The third letter is one I finally received from former Commissioner Stovall after I had completed my application and had submitted it. I forwarded it onto the Commission, but was still denied a permit.

I know that I am not the only one that has fallen afoul of this bureaucratic bungle, so I am offering to share my information with you to assist other justified applicants. Please let me know if I can help clean this up; and, if you can do anything to expedite my hearing or issuance of a permit, please do.

Thank you for your attention to this matter.

Sincerely yours,



Richard H. Jensen

RHJ:cj

Enclosures

P. O. Box 578
Girdwood, Alaska 99587
April 17, 1980

Ms. Kathy Bailey
Application Technician
State of Alaska
Commercial Fisheries Entry Commission
Pouch KB
Juneau, Alaska 99811

Dear Ms. Bailey:

I have your letter of April 10 acknowledging the return of my check to Richard L. E. Jensen in Anchorage; also acknowledging that I am requesting an administrative hearing. In confirmation of this, I hereby resubmit my original check for \$20.

The reason for this request is self-explanatory by examination of the sworn documents submitted with the application. I am entitled to a limited entry permit; and, except for the explicit ill-advice of one of the original commissioners who was engaged in traveling around the State advising and assisting groups of fishermen applicants, would have participated in the past five seasons. Without conjecture, I have been deprived of more than \$300,000 income.

Instead of this participation, I have months of time and effort involved amassing proof of my claim to a right that was taken from me and immersed in a jungle of bureaucratic requirements that emerge as barrier after barrier in attempting to regain the original freedom. I will give you one example: After I first discovered the fact in late 1977 that others in like circumstances were seeking and receiving limited entry permits, I inquired of some of my friends in staff positions with Fish and Game. They admitted some knowledge of this situation, but could not tell me of the special circumstances, nor did they have limited entry applications or regulations. I talked then to some of the returning fishermen who were gearing up for the 1978 season. They confirmed the fact that the commission was issuing belated permits. I then wrote the commission; and after an exchange of letters, received an application along with regulations and instructions. This packet arrived three years, six months and 19 days after I originally contacted a commissioner in regards to acquiring same. I immediately set out to complete the application as per the instructions - line by line. Throughout the application, the emphasis is on point accumulation. The supporting data is all relevant to verifying these points. I spent months locating and digging through 24 years of business records; I spent more months going the alternate method of seeking affidavits from the best sources I knew. I still was

nowhere near the required 20 points last summer when I finally called Commissioner Ingraham. During our conversation, he casually mentioned that if I could prove fishing effort between 1960 and 1972; and in addition, provide the proof of being ill-advised by a representative of the commission, I quite likely could receive a permit; since few, if any, points were required for set net permits in Bristol Bay. "Stop, hold the phone and say that again"---he repeated the statement. I was flabbergasted! Nowhere on the application or in the instructions does it remotely indicate that the Bristol Bay set gill net fishery was so far under quota that any qualified applicant would be issued a permit. Had this been made evident, I could have submitted this application a week after I received it, e.g., August 1978.

Perhaps this frustrating example will in a slight way indicate the desire for some form of recourse.

Sincerely yours,



Richard H. Jensen

RHJ:cj

Enclosure: Personal check #1441 in amount of \$20.

cc: Representatives Nils Anderson, Bill Miles and Alvin Osterback

②

P. O. Box 578
Girdwood, Alaska 99537
December 28, 1979

Commercial Fisheries Entry Commission
Pouch K B
Juneau, Alaska 99811

Gentlemen:

Along with my application, I submit this explanation concerning its tardiness. In late 1974, I took the responsibility for my family of staying abreast of the new limited entry law and its implementation. Therefore, this explanation is valid for Iris E. Jensen as well as Richard L. E. "Duffy" Jensen, my son, who are also applying.

In the first place, we did not receive any yellow cards put out by the Commission for requesting applications; nor did we get pre-printed applications which many fishermen received. In fact, I did not know of the information packets and application forms until several years later. My only source of information in 1974 was the newspapers, the radio and other fishermen (who were as confused as I).

However, sometime in December of 1974, I made a point of meeting with Commissioner Jay Stovall as he passed through Anchorage International Airport. We had lunch and I talked to him about getting our limited entry permits. He asked if we had fished during the 1969 through 1972 seasons. I told him "no"; and he said he was not sure, but that he thought we would not be eligible. Although he said that all the rules were not "cut and dried" as yet. As he left, I told him I would keep in touch. Meanwhile, we still received no official notice from the Commission. Which, in retrospect, indicates to me it was the Commission's opinion, at that time, that we were not eligible to fish in the Bristol Bay set net fishery. Had I received the packet, I could have read the criteria for myself. Moreover, I recall hearing via the news media reports from Juneau, that the fishing seasons of 1969 through 1972 were emerging as a critical period toward qualifying for permits; all of which supported Commissioner Stovall's original guesstimation.

Some weeks later, on January 17, 1975, to be exact, my wife and I went to Juneau for Governor Jay Hammond's inauguration. On January 19, I took advantage of the trip to visit Commissioner Stovall again and talk about our limited entry permits. We visited Jay in his home; and I explained that we wanted to continue fishing in the Bay and needed permits in order to do so. His response at that time was very positive; stating that if we had not participated in the fishery during the 1969 through 1972 season, we could not qualify for permits.

I reminded him that my son had been in Vietnam most of those years and while he was gone, I had paid our tidelands lease fees and maintained the sites and gear. He replied that leased sites would have no bearing on the issuance of a permit; he failed to mention, however, that military service would be an important factor. I was bitterly disappointed at this news and my wife and I had a lengthy discussion about the inequities of losing another of our rights which we had pioneered way back prior to statehood. She recalls my conversation with Commissioner Stovall and attests to its truthfulness by affidavit (Exhibit B1).

After this second meeting with Stovall, I resigned myself to the fact that we had been excluded from the fishery and notified my son, Duffy. Since we had known the Stovall family very well for 20 years, we had no reason to doubt his official advice--either then or now. Thus, the deadline of March 13, 1975, which I had noted on my desk calendar (Exhibit B2) came and went, as did the extended deadline of May 13, 1975. We had no applications on file; and furthermore, we did not seek an interim permit for that season since it was forecast to be a "scratch" year and we would have no permits for the following one anyway.

I never did receive anything from the Commission which gave us notice or recognized our possible eligibility for a permit, nor did I catch it in the newspaper legal notices. It was not until 1977, while I was in Bristol Bay during the fishing season, when I learned that late applications were being processed and set gill net permits were still being issued. This rekindled my interest and I talked to many of my friends who had fished with us. After some investigation, I found that many eligible applicants had missed getting permits for the same reason that I had. Specifically, they had been ill-advised by a representative of the Commission. In many cases in the Naknek/Kvichak area, this bad advice came from the agent assigned to the Bristol Bay Native Association who was designated to assist the local natives with their applications. (See Exhibit 8)

By this time, Commissioner Stovall had left the Commission and I had no personal contact with him or the other commissioners; but, I talked to friends in the Department of Fish and Game about my chances of seeking a belated set net permit. They advised contacting the Commission directly, which I did on June 1978 (see Exhibit B3). I received a reply from Commissioner Garner (Exhibit B4) and after an exchange of letters (Exhibits B5, B6, B7) finally received a packet of limited entry instructions and application forms. Thus, for the first time, in July 1978, did I get a chance to see the requirements for a permit. As I read them, I realized that we had, indeed, been eligible to apply prior to the 1975 deadline; and I began wondering why we had been advised against it? What had happened to change the picture? These two questions had to be answered in order to reconcile the great difference between the written regulations and the spoken word.

I immediately set out to complete my application and compile the documentation to compute my points. The requirements were very confusing, but I learned that the Commission had scheduled a public hearing in Naknek and planned to attend it in order to get some assistance. October 12, 1978, was the hearing date; but the meeting generated more noise and confusion than information, and I left still with the impression that it took 20 points to qualify for a set net permit in Bristol Bay. One fact that emerged from the meeting that amazed me was the number of eligible fishermen who after four years did not have permits. I searched

through all of our old records diligently for supporting information, but found that most of them had been destroyed by wind and rain. Those that I found appear with the applications, however, most of the evidence is in the form of sworn affidavits. Compiling these has been a long, slow process.

Last summer, I visited the Anchorage office of Fish and Game seeking an affidavit and other information. A friend suggested a call to Commissioner Dave Ingraham. On November 28, 1979, I called the Commissioner in frustration over my application and the documentation necessary for my points. I explained my problems with the point scoring; he stopped me then, and asked two questions: No. 1 - Had we fished in Bristol Bay during the period 1960 to 1972? Upon receiving an affirmative answer, he asked question No. 2 - Had we filed a timely application, and if not, why not? I described the previous advice I had received from Commissioner Stovall on the two occasions I had talked with him in 1974 and early 1975. After my explanation, Commissioner Ingraham stated that if we were able to substantiate that one fact to the Commission, we might be granted permits, since very few points were required for set gill nets in Bristol Bay. This statement regarding the low-point requirements for Bristol Bay set nets completely surprised me, because according to inferences in the instructions, it would require a substantial point-showing to acquire any permit. Here, then, was another quandary. At any rate, Commissioner Ingraham ended by stating that if we could prove that we were, indeed, ill-advised, we quite likely could get permits.

I flew down to Bristol Bay on December 11, 1979, and spent a week talking to other fishermen about the problems they encountered while seeking their late permits. In all cases, I found confusion and outright ill-advice which had been passed out by various spokesmen for the Commission. For instance, quite a few fishermen who had first been in the set net fishery and then advanced to drift netting during the 1969-1972 period were told they could not qualify for their set net permits; although some fishermen have since received them. All of this brought back to mind the discrepancy I encountered between what I had been told as opposed to what the regulation read. There had to be an answer and I felt that I must resolve this mystery in order to satisfy the Commission that I had, indeed, been misinformed. I left the Bay with that intention.

I called Commissioner Stovall, whom still lives in Juneau and whom I have not seen in three or four years. I reminded him of the several conversations we had concerning our set net permits. He remembered the occasions, but did not remember telling me that we could not qualify. He said that in most cases, where there was any doubt, he had recommended filing anyway. That sounded like he was hedging, since his last advice to me had been a definite "no." I was again mystified and wondered if there was some kind of a conspiracy going on, or had the ground rules been changed somewhere along the way and the prudent advice changed accordingly. I think that I have established this is exactly what did happen, particularly in the case of the Bristol Bay set gill net fishery.

Several weeks after my telephone conversation with former Commissioner Stovall, I sought out Mr. Darwin Biber who served on the Commission for four years. He joined the Commission in July 1973, three months after it was formed by legislative action. He was the state fisheries biologist until 1976, and thereafter, succeeded Allan Adasiak as Executive Director while continuing to serve as biologist

for the balance of his tenure. He told me that he had attended the preliminary hearings all over the state with Chairman Roy Rickey and other commissioners. He said that the resultant regulations and the overall point system which applies statewide were designed to fairly well screen out the non-professional fisherman who was not currently engaged in the fishery; in other words, those who had not engaged in their fishery during the 1969 through 1972 seasons. And, he claims they did a pretty good job except in Bristol Bay where there are very few professional fishermen. Here the Commission found, after the fact, that the point system allowed entry into the set gill net fishery of almost everybody who had fished during the entire qualifying period between 1960 and 1972. However, by the time this fact did emerge, the final application deadline of May 18, 1975, had long since past.

I have talked with Mr. Biver at length on this point and he acknowledges that because of the above-misjudgement of the points required, the various representatives of the Commission could easily have ill-advised many fishermen who were, indeed, eligible to apply, that they "could not qualify," and with good conscience. He further admits that later as it became apparent to the Commission that the points required to qualify for a Bristol Bay set gill net permit were going to be very low, that a different word went out from the Commission to these fishermen.

It seems that the critical point here is found in the, quote, "those fishermen eligible to apply," unquote (all 1960 to 1972 participants); and those who, quote, "could qualify for a permit," unquote, as deemed by the Commission (1969 to 1972 participants). In other words, it was the Commission's view that only current professional fishermen who could tally the higher points awarded for 1969-1972 participation would be able to get limited entry permits. This did not prove to be true. At that point in time, this mistaken assumption thwarted not only us, but others as well. In our case, we received neither applications or notices from the Commission or any of the regulations. Furthermore, when we made great effort to seek out a Commissioner who knew of our personal involvement in the Bristol Bay fishery, we were ill-advised that we "did not qualify for a permit"; thus, we passed the deadline without a timely application on file. I believe that when former Commissioner Stovall is questioned about this application, and as he recalls those early days prior to implementation of the Act, he will agree that the possibility certainly existed for misinformation having been dispersed to interested applicants in the Bristol Bay set net fishery.

With this lengthy explanation, I rest my case.

Sincerely yours,


Richard H. Jensen

RHJ:cj

Enclosures

P. S. I am awaiting a letter or affidavit from former Commissioner Stovall, hopefully, that will verify my contention.

(3)
Rt. 3, box 5050
Juneau, Alaska

February 5, 1980

Richard H. Jensen
P. O. Box 578
Girdwood, Alaska 99587

Dear Dick,

In answer to your letter of January 17, 1980, I thought I had better put some of my statements on this matter in a letter to you rather than by telephone. As you are aware, I will not be available for any Commission hearings from about March 15 to September 10. During this period I will either be in Bristol Bay or in transit to or from the Bay with the brine tender "Balena".

I do remember talking to you and discussing your Bristol Bay fishing history during your visit to Juneau for Governor Hammond's first inauguration. At that time my personal feelings were that any one who had not fished commercially after 1966 would stand very little, if any, chance of receiving a permit. I think that my statement to you was that "you had about the same chance as a snowball in Hell".

As we are well aware, it did not work out that way in the Bristol Bay set net fishery. Had you made application I am sure that you would have qualified for a permit, particularly in view of your ownership of fishing equipment and the tideland lease from the State of Alaska on your set net site. At the time I left the Commission in 1977 we had not received enough applications to match the maximum number of permits to be issued in that fishery. Of more than twenty fisheries this was the only fishery where that occurred. All of the other fisheries received many more applications than there were permits to be issued.

I hope this will be of help to you and I am certainly sorry that my pessimism at the time influenced you in not making application before the dead line.

If I can be of any further help please feel free to call on me.

Sincerely,


Charles J. Stovall

TELECONFERENCE HEARINGS



* PST

TELECONFERENCE CONTACT SHEET

TAKEN BY deborah

TOPIC: LIMITED ENTRY

CONTACT ADENA ADE

COMMITTEE: House Resources

PHONE 3738

DATE: 3-3-80 Monday

DATE SCHEDULED _____

TIME: 3:00 pm PST Duration: 2 hrs
1:00 pm PST

LOCATION _____

SITES PARTICIPATING _____

MODERATOR _____

CONFERENCE MODE: Audio Video _____

PUBLICITY:

PERSONS PARTICIPATING

SITE

Chairman: Rep. OSTERBACK
 will be discussing these bills only.

1. HB 66	JUNEAU
2. HB 631	Bechar
3. SS HB 630	Sitka
	Kodiak

Invitational

Committee making contacts

PSAs date quantity

News Release date quantity

Summary to be provided

Text to be provided

Quotes to be provided

Direct Mail date quantity

Phone date quantity

Post at Info. Office

Post other local locations

SPECIAL NOTES:

* info. on exact # of sites to be supplied

JUNEAU LOCATION:

Rm. 119

POST-TELECONFERENCE NOTE:

Participants	<u>1</u>
Observers	<u>6</u>
Total	<u>17</u>

Alaska State Legislature

TELECONFERENCE HEARINGS



DATE: 3-3-80
 LOCATION: Bethel
 SUBJECT: Limited Entry Bills.

HERE TO OBSERVE HERE TO TESTIFY

NAME	REPRESENTING	ADDRESS	PHONE	HERE TO OBSERVE	HERE TO TESTIFY
Frank Fox ^{duty}	Nunam Kitlutsisti	P.O. Box 267 Bethel AK 99559	543-2956	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Wilson E. Simpson	Self	P.O. Box 291 Bethel, AK 99559	543-2015		<input checked="" type="checkbox"/>
Arthur T. Nelson	Self	P.O. Box 231 Bethel, Alaska 99559			<input checked="" type="checkbox"/>
Jerry Kortebein	Self	Box 309 Bethel		<input checked="" type="checkbox"/>	
Peter Alessi	Self	Box 392 Bethel		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Capt. Kerri ^{file}		Box 232 Bethel			<input checked="" type="checkbox"/>
David Arnold	Self	Box 32 Bethel	543-2814	<input checked="" type="checkbox"/>	
Robt. White ^{Kathy file}	Self	Box 143	543-2322	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Kimberly Martin	Alaska Legal Ser	Box 298	2237	<input checked="" type="checkbox"/>	
Ken Hamon ^{Sandra Watten}	Nunam Kitlutsisti	Box 1243	543-2385		<input checked="" type="checkbox"/>
Jae Henrich	Self	Jim Del Tokocok Bay AK 99637	546-8001	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>

TELECONFERENCE HEARINGS



Please Print.
To be returned to Teleconference Moderator.

PARTICIPATION FORM

NAME Laird. Jones

Here to Testify X

REPRESENTING Alaska Native
Brotherhood camp 14

Here to Observe _____

MAILING ADDRESS Box A-27, Ward Cove, AK 99778 zip 99728

TELEPHONE NUMBER 247-2618

BROADCAST CONSENT: This proceeding may be broadcast live or recorded for later broadcast by radio or television stations. Please indicate your consent by signing below:

Laird Jones
(Signature)

EVALUATION: Have you participated in other legislative teleconferences? Yes If so, how many? 1

How did you learn about this hearing?
Asked by Alaska office in June 1988

Would you have participated in this hearing if the network were not available? Probably Not

If yes, did you use the network
_____ instead of travel
_____ instead of phone conversations
_____ instead of mailed testimony?

Are you also providing written testimony? _____

DATE 03/03/90 SUBJECT Alaska Native Brotherhood LOCATION Net

TELECONFERENCE HEARINGS



Please Print.
To be returned to Teleconference Moderator.

PARTICIPATION FORM

NAME Robert A. Almqvist

Here to Testify X

REPRESENTING Fisherman - "Myself"

Here to Observe X

MAILING ADDRESS Box 3148 Zip 99701

TELEPHONE NUMBER 5-3657

BROADCAST CONSENT: This proceeding may be broadcast live or recorded for later broadcast by radio or television stations. Please indicate your consent by signing below:

Robert A. Almqvist
(signature)

EVALUATION: Have you participated in other legislative teleconferences? No If so, how many? _____

How did you learn about this hearing?
From AL Fellow whom had called Nels Anderson's office & also, by calling Nels Anderson's office myself.

Would you have participated in this hearing if the network were not available? Yes!??

If yes, did you use the network
_____ instead of travel
_____ instead of phone conversations
_____ instead of mailed testimony?

Are you also providing written testimony? No.
DATE 3-3-80 SUBJECT Permit's LOCATION Ketchikan

TELECONFERENCE HEARINGS



SUBJECT: HB 665 - late applications for limited entry permits
SSHB 630 - taking and sale of fish without an entry permit or interim-use permit

COMMITTEE: House Resources

DATE: March 3, 1980

TIME: 3:00 p.m.

SITES PARTICIPATING: ALL

CONFERENCE MODE: Audio

LOCATION: Ketchikan Info Office, Room 301

MODERATOR: Sandy Wendte

NOTES:

[Handwritten notes, mostly illegible]

CONFIRMATION OF CONFERENCE

CENTER: yes

PUBLICITY:

Invitational -

	Date	Quantity
PSAs	<u>2/20/80</u>	<u>2</u>
News releases (local)	<u>1/22/80</u> <u>2/20/80</u>	<u>2</u>
News releases (outlying media)		
Direct mail	<u>1/22/80</u>	<u>1</u>
Phone contacts		<u>3</u>
Other:	<u>Office</u>	<u>3</u>

NUMBER IN ATTENDANCE 5
NUMBER TESTIFYING 3

TELECONFERENCE HEARINGS



Please Print.
To be returned to Teleconference Moderator.

PARTICIPATION FORM

NAME ALBERT G. FEILER

Here to Testify YES

REPRESENTING MYSELF

Here to Observe _____

MAILING ADDRESS 624 PARK FIVE VPR-KTN zip 99901

TELEPHONE NUMBER 225-3812

BROADCAST CONSENT: This proceeding may be broadcast live or recorded for later broadcast by radio or television stations. Please indicate your consent by signing below:

Albert G. Feiler
(signature)

EVALUATION: Have you participated in other legislative teleconferences? no If so, how many? _____

How did you learn about this hearing?
ROBERT ALMQUIST - KTN

Would you have participated in this hearing if the network were not available? yes

If yes, did you use the network
_____ instead of travel
_____ instead of phone conversations
_____ instead of mailed testimony?

Are you also providing written testimony? _____

DATE _____ SUBJECT permit LOCATION KTN

TELECONFERENCE HEARINGS



* PST

TELECONFERENCE CONTACT SHEET

TAKEN BY deborah

TOPIC: 'LIMITED ENTRY'

CONTACT ADELHAADE

COMMITTEE: House Resources

PHONE 3738

DATE: ~~3/3/80~~ DAY: Thursday

DATE SCHEDULED _____

TIME: ~~1:00 P.M.~~ 3 PM SCHEDULED DURATION: 2 hrs

LOCATION _____

SITES PARTICIPATING:

MODERATOR _____

CONFERENCE MODE: Audio Video _____

PUBLICITY:

PERSONS PARTICIPATING

SITE

chairman: Rep OSTERBACK

JUNEAU

~~Invitational~~

Committee making contacts

PSAs date quantity

News Release date quantity

Summary to be provided

Text to be provided

Quotes to be provided

Direct Mail date quantity

Phone date quantity

Post at Info. Office

Post other local locations

SPECIAL NOTES:

*info. on exact # of sites to be supplied

JUNEAU LOCATION:

Rm. 118

POST-TELECONFERENCE NOTE:

Participants 7

Observers 7

Total 14

TELECONFERENCE HEARINGS



Please Print.
To be returned to Teleconference Moderator.

PARTICIPATION FORM

NAME Frank P. ...

Here to Testify

REPRESENTING _____

Here to Observe

MAILING ADDRESS P.O. 3599 ANCHORAGE AL Zip 99510

TELEPHONE NUMBER 243-3626

BROADCAST CONSENT: This proceeding may be broadcast live or recorded for later broadcast by radio or television stations. Please indicate your consent by signing below:

(signature)

EVALUATION: Have you participated in other legislative teleconferences? no If so, how many? _____

How did you learn about this hearing?

Would you have participated in this hearing if the network were not available? yes

If yes, did you use the network
_____ instead of travel
_____ instead of phone conversations
_____ instead of mailed testimony?

Are you also providing written testimony? _____

DATE 3-3-88 SUBJECT ... LOCATION ...

TELECONFERENCE HEARINGS



7

Please Print.
To be returned to Teleconference Moderator.

PARTICIPATION FORM

NAME Mike Hough

Here to Testify X

REPRESENTING clients who
are late applicant

Here to Observe X

MAILING ADDRESS Box 291, Homer Zip 99603

TELEPHONE NUMBER 907-235-8184

BROADCAST CONSENT: This proceeding may be broadcast live or recorded for later broadcast by radio or television stations. Please indicate your consent by signing below:

Mike Hough
(signature)

EVALUATION: Have you participated in other legislative teleconferences? No If so, how many? _____

How did you learn about this hearing?
Rep Anderson

Would you have participated in this hearing if the network were not available? Yes

If yes, did you use the network
_____ instead of travel
_____ instead of phone conversations
_____ instead of mailed testimony?

Are you also providing written testimony? _____

DATE 3/3/80 SUBJECT HB 665 LOCATION Anch

TELECONFERENCE HEARINGS



Please Print.
To be returned to Teleconference Moderator.

PARTICIPATION FORM

NAME Jack McLean
~~FRANK CORREA~~

Here to Testify

REPRESENTING Frank Correa

Here to Observe

MAILING ADDRESS 3542 North Point Dr Zip 99502

TELEPHONE NUMBER 243-3626

BROADCAST CONSENT: This proceeding may be broadcast live or recorded for later broadcast by radio or television stations. Please indicate your consent by signing below:

Jack McLean
(signature)

EVALUATION: Have you participated in other legislative teleconferences? No If so, how many? 2

How did you learn about this hearing?
Called Nels (Podersen)

Would you have participated in this hearing if the network were not available? Yes

- If yes, did you use the network
- instead of travel
 - instead of phone conversations
 - instead of mailed testimony?

Are you also providing written testimony? Not at this time

DATE 3-3-80 SUBJECT Lake Fork LOCATION AK

TELECONFERENCE HEARINGS



1

2

Please Print.

To be returned to Teleconference Moderator.

PARTICIPATION FORM

NAME ROBERT J. ROWAN

Here to Testify X

HB-630

DIVISION OF MOTOR VEHICLES
REPRESENTING DEPT OF Public Safety

Here to Observe _____

MAILING ADDRESS P.O. Box 960 Anchorage zip 99510

TELEPHONE NUMBER 269-5551

BROADCAST CONSENT: This proceeding may be broadcast live or recorded for later broadcast by radio or television stations. Please indicate your consent by signing below:

Robert J. Rowan
(signature)

EVALUATION: Have you participated in other legislative teleconferences? No If so, how many? _____

How did you learn about this hearing?
Dept of Public Safety Hearing

Would you have participated in this hearing if the network were not available? _____

If yes, did you use the network
_____ instead of travel
_____ instead of phone conversations
_____ instead of mailed testimony?

Are you also providing written testimony? _____

DATE 3-3-80 SUBJECT HB-630 LOCATION AK

TELECONFERENCE HEARINGS



Please Print.

To be returned to Teleconference Moderator.

PARTICIPATION FORM

NAME Nick Shurchoff

Here to Testify

REPRESENTING self

Here to Observe

MAILING ADDRESS PO Box 222

Zip 99615

TELEPHONE NUMBER 486-5448

BROADCAST CONSENT: This proceeding may be broadcast live or recorded for later broadcast by radio or television stations. Please indicate your consent by signing below:

Nick Shurchoff
(signature)

EVALUATION: Have you participated in other legislative teleconferences? no If so, how many?

How did you learn about this hearing?

Would you have participated in this hearing if the network were not available?

If yes, did you use the network

instead of travel

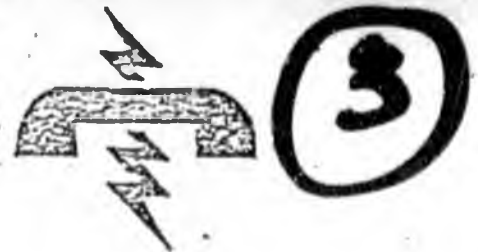
instead of phone conversations

instead of mailed testimony?

Are you also providing written testimony?

DATE 2/21/80 SUBJECT HP 685 LOCATION HR

TELECONFERENCE HEARINGS



Please Print.
To be returned to Teleconference Moderator.

PARTICIPATION FORM

NAME Douglas Pope

Here to Testify

REPRESENTING legislature

Here to Observe

MAILING ADDRESS _____ Zip _____

TELEPHONE NUMBER _____

BROADCAST CONSENT: This proceeding may be broadcast live or recorded for later broadcast by radio or television stations. Please indicate your consent by signing below:

Douglas Pope
(signature)

EVALUATION: Have you participated in other legislative teleconferences? _____ If so, how many? _____

How did you learn about this hearing?

Would you have participated in this hearing if the network were not available? _____

If yes, did you use the network
_____ instead of travel
_____ instead of phone conversations
_____ instead of mailed testimony?

Are you also providing written testimony? _____

DATE 3/3/80 SUBJECT Permitted Entry LOCATION ANC

John McLean

TELECONFERENCE HEARINGS



Please Print.
To be returned to Teleconference Moderator.

PARTICIPATION FORM

NAME Bob Lohr

Here to Testify

REPRESENTING Rural CHP

Here to Observe

MAILING ADDRESS Box 3-3908 Anchorage Ak. zip 99501

TELEPHONE NUMBER 279-2511

BROADCAST CONSENT: This proceeding may be broadcast live or recorded for later broadcast by radio or television stations. Please indicate your consent by signing below:

Robert Lohr
(signature)

EVALUATION: Have you participated in other legislative teleconferences? no If so, how many? 1

How did you learn about this hearing?
Leg. Liaison

Would you have participated in this hearing if the network were not available? no

If yes, did you use the network
 instead of travel
 instead of phone conversations
 instead of mailed testimony?

Are you also providing written testimony? no

DATE 3/3/85 SUBJECT Unrated Enk LOCATION Acc.

TELECONFERENCE HEARINGS



2
1

Please Print.

To be returned to Teleconference Moderator.

PARTICIPATION FORM

NAME Sgt. Robert Brown ²³¹ Here to Testify

REPRESENTING State Fish + Wildlife Protection Here to Observe

MAILING ADDRESS PO Box 6188 Anchorage AK zip 99502

TELEPHONE NUMBER 264-5654

BROADCAST CONSENT: This proceeding may be broadcast live or recorded for later broadcast by radio or television stations. Please indicate your consent by signing below:

R E Brown
(signature)

EVALUATION: Have you participated in other legislative teleconferences? No If so, how many? _____

How did you learn about this hearing?
I was informed by Justice Dept of Public Safety

Would you have participated in this hearing if the network were not available? Yes

If yes, did you use the network
 instead of travel
 instead of phone conversations
 instead of mailed testimony?

Are you also providing written testimony? Yes

DATE 3/4/80 SUBJECT 178 630 LOCATION Anchorage

TELECONFERENCE HEARINGS



Please Print.
To be returned to Teleconference Moderator.

PARTICIPATION FORM

NAME John Kucala Here to Testify

REPRESENTING myself Here to Observe ✓

2001 Tillamook Dr

MAILING ADDRESS Juneau AK Zip 99502

TELEPHONE NUMBER 243 1579

BROADCAST CONSENT: This proceeding may be broadcast live or recorded for later broadcast by radio or television stations. Please indicate your consent by signing below:

John Kucala
(signature)

EVALUATION: Have you participated in other legislative teleconferences? 60 If so, how many?

How did you learn about this hearing?
Rep. Bill Anderson

Would you have participated in this hearing if the network were not available?

If yes, did you use the network
 instead of travel
 instead of phone conversations
60 instead of mailed testimony?

Are you also providing written testimony? 60

DATE 3/13/88 SUBJECT ASL FCS LOCATION JWC

TELECONFERENCE HEARINGS



Please Print.

To be returned to Teleconference Moderator.

PARTICIPATION FORM

NAME Hannelore Kucala

Here to Testify _____

REPRESENTING _____

Here to Observe

7001 Tall Spruce Dr

MAILING ADDRESS Anchorage, Alaska

Zip 99502

TELEPHONE NUMBER 243 1879

BROADCAST CONSENT: This proceeding may be broadcast live or recorded for later broadcast by radio or television stations. Please indicate your consent by signing below:

Hannelore Kucala
(signature)

EVALUATION: Have you participated in other legislative teleconferences? _____ If so, how many? _____

How did you learn about this hearing?

Rep. Nels Anderson

Would you have participated in this hearing if the network were not available? _____

If yes, did you use the network

_____ instead of travel

_____ instead of phone conversations

instead of mailed testimony?

Are you also providing written testimony? No

DATE 5/3/80

SUBJECT HB 665

LOCATION HNC

TELECONFERENCE HEARINGS



Please Print.
To be returned to Teleconference Moderator.

PARTICIPATION FORM

NAME Helen R. Edenshaw

Here to Testify _____

REPRESENTING self

Here to Observe

MAILING ADDRESS 9499 Brayton Dr. Sp101 zip 99507

TELEPHONE NUMBER 349-3837

BROADCAST CONSENT: This proceeding may be broadcast live or recorded for later broadcast by radio or television stations. Please indicate your consent by signing below:

Helen R. Edenshaw
(signature)

EVALUATION: Have you participated in other legislative teleconferences? no If so, how many? _____

How did you learn about this hearing?
Call from Jeanne from Nels
Andersen's office

Would you have participated in this hearing if the network were not available? _____

If yes, did you use the network
_____ instead of travel
_____ instead of phone conversations
_____ instead of mailed testimony?

Are you also providing written testimony? no

DATE 3/3/80 SUBJECT Am. Co. Policy LOCATION one

TELECONFERENCE HEARINGS



Please Print.
To be returned to Teleconference Moderator.

PARTICIPATION FORM

NAME Mike Hammesmeier

Here to Testify _____

REPRESENTING _____

Here to Observe

MAILING ADDRESS PO Box 572 Homer AK Zip 99665

TELEPHONE NUMBER 235 8116

BROADCAST CONSENT: This proceeding may be broadcast live or recorded for later broadcast by radio or television stations. Please indicate your consent by signing below:

Mike Hammesmeier
(signature)

EVALUATION: Have you participated in other legislative teleconferences? No If so, how many? _____

How did you learn about this hearing?
Friend

Would you have participated in this hearing if the network were not available? _____

If yes, did you use the network
_____ instead of travel
 instead of phone conversations
_____ instead of mailed testimony?

Are you also providing written testimony? Yes

DATE 3/2/80 SUBJECT Beavertown City LOCATION Home

TELECONFERENCE HEARINGS



Please Print.
To be returned to Teleconference Moderator.

PARTICIPATION FORM

NAME Fred Anderson

Here to Testify _____

REPRESENTING SELF

Here to Observe x

2907 La Honda Drive

MAILING ADDRESS Anchorage AK Zip 99503

TELEPHONE NUMBER _____

BROADCAST CONSENT: This proceeding may be broadcast live or recorded for later broadcast by radio or television stations. Please indicate your consent by signing below:

Fred Anderson
(signature)

EVALUATION: Have you participated in other legislative teleconferences? NO If so, how many? _____

How did you learn about this hearing?
Adel Heid Heiman
at Nels Anderson's Office

Would you have participated in this hearing if the network were not available? _____

If yes, did you use the network
_____ instead of travel
x instead of phone conversations
_____ instead of mailed testimony?

Are you also providing written testimony? NO

DATE 5/7/80 SUBJECT Alaska State LOCATION Anch

TELECONFERENCE HEARINGS



Please Print.

To be returned to Teleconference Moderator.

PARTICIPATION FORM

NAME Norman N. Anderson

Here to Testify

REPRESENTING Self Interest

Here to Observe X

MAILING ADDRESS Box 97 Naknek, Alaska Zip 99633

TELEPHONE NUMBER 268-4253

BROADCAST CONSENT: This proceeding may be broadcast live or recorded for later broadcast by radio or television stations. Please indicate your consent by signing below:

Norman N. Anderson
(signature)

EVALUATION: Have you participated in other legislative teleconferences? NO If so, how many?

How did you learn about this hearing?

Would you have participated in this hearing if the network were not available? YES

- If yes, did you use the network
- instead of travel
 - X instead of phone conversations
 - instead of mailed testimony?

Are you also providing written testimony? NO

DATE 3/3/80 SUBJECT Sanctified Property LOCATION Alaska

TELECONFERENCE HEARINGS



Please Print.
To be returned to Teleconference Moderator.

PARTICIPATION FORM

NAME Josephine McLean

Here to Testify _____

REPRESENTING _____

Here to Observe

MAILING ADDRESS 7542 North Point Drive
Anchorage, AK

Zip 99502

TELEPHONE NUMBER 243-3626

BROADCAST CONSENT: This proceeding may be broadcast live or recorded for later broadcast by radio or television stations. Please indicate your consent by signing below:

Josephine McLean
(signature)

EVALUATION: Have you participated in other legislative teleconferences? No If so, how many? No occasion

How did you learn about this hearing?
Nils Christensen

Would you have participated in this hearing if the network were not available? _____

If yes, did you use the network
_____ instead of travel
_____ instead of phone conversations
_____ instead of mailed testimony?

Are you also providing written testimony? _____

DATE 3-3-80 SUBJECT AS-665 LOCATION AK

TELECONFERENCE HEARINGS



Please Print.
To be returned to Teleconference Moderator.

PARTICIPATION FORM

NAME CLIFFESTER GORDON K

Here to Testify

REPRESENTING SELF

Here to Observe

MAILING ADDRESS Box 1936 Kodiak AK zip 99615

TELEPHONE NUMBER 486-3669

BROADCAST CONSENT: This proceeding may be broadcast live or recorded for later broadcast by radio or television stations. Please indicate your consent by signing below:

Cliffester Gordon K
(signature)

EVALUATION: Have you participated in other legislative teleconferences? If so, how many? 2

How did you learn about this hearing?
PRRER & RADIO

Would you have participated in this hearing if the network were not available? POSSIBLE BUT COST PROHIBITIVE

If yes, did you use the network
 instead of travel
 instead of phone conversations
 instead of mailed testimony?

Are you also providing written testimony? WILL SOON

DATE APR 3-80 SUBJECT LIMIT SET EARLY LOCATION Kodiak AK

TELECONFERENCE HEARINGS



Please Print.
To be returned to Teleconference Moderator.

PARTICIPATION FORM

NAME MIKE MULLAN

Here to Testify

REPRESENTING SELF

Here to Observe

MAILING ADDRESS PORT LIONS, AK zip 99655

TELEPHONE NUMBER

BROADCAST CONSENT: This proceeding may be broadcast live or recorded for later broadcast by radio or television stations. Please indicate your consent by signing below:

Mike Mullan
(signature)

EVALUATION: Have you participated in other legislative teleconferences? NO If so, how many?

How did you learn about this hearing?

Would you have participated in this hearing if the network were not available? NO

If yes, did you use the network
 instead of travel
 instead of phone conversations
 instead of mailed testimony?

Are you also providing written testimony? NO

DATE 4/3/90 SUBJECT Hotel Entry LOCATION Kenai

TELECONFERENCE HEARINGS



Please Print.
To be returned to Teleconference Moderator.

PARTICIPATION FORM

NAME MATT JAMIN

Here to Testify X

REPRESENTING ALASKA LEGAL
SERVICES CORP.

Here to Observe _____

MAILING ADDRESS Box 304 Kodiak zip 99615

TELEPHONE NUMBER 486-3490

BROADCAST CONSENT: This proceeding may be broadcast live or recorded for later broadcast by radio or television stations. Please indicate your consent by signing below:

Matt Jamin
(signature)

EVALUATION: Have you participated in other legislative teleconferences? No If so, how many? _____

How did you learn about this hearing?

Would you have participated in this hearing if the network were not available? _____

If yes, did you use the network
_____ instead of travel
_____ instead of phone conversations
_____ instead of mailed testimony?

Are you also providing written testimony? No

DATE 3/3/80 SUBJECT Unk'd Fctg LOCATION Room

TELECONFERENCE HEARINGS



Please Print.
To be returned to Teleconference Moderator.

PARTICIPATION FORM

NAME Wayne Marshall

Here to Testify X

REPRESENTING Kodiak Area

Here to Observe _____

Native Association

MAILING ADDRESS Box 172 Kodiak zip 99615

TELEPHONE NUMBER (907) 486-5721

BROADCAST CONSENT: This proceeding may be broadcast live or recorded for later broadcast by radio or television stations. Please indicate your consent by signing below:

Wayne Marshall
(signature)

EVALUATION: Have you participated in other legislative teleconferences? yes If so, how many? 2

How did you learn about this hearing?
Legislative Affairs Kodiak & Dillingham Legal Service

Would you have participated in this hearing if the network were not available? would not have, submit written comments later

If yes, did you use the network
X instead of travel
X instead of phone conversations
X instead of mailed testimony? primarily mailed testimony

Are you also providing written testimony? Perhaps

DATE 3/3/80 SUBJECT HB 605 LOCATION Kodiak

TELECONFERENCE HEARINGS



* PST

TELECONFERENCE CONTACT SHEET

TAKEN BY deborah

TOPIC: 'LIMITED ENTRY'

CONTACT ADELHARDT

COMMITTEE: House Resources

PHONE 3738

DATE: ~~3/18/80~~ DAY: Thursday

DATE SCHEDULED _____

TIME: ~~1:00 PM~~ SCHEDULED DURATION: 2 hrs
3 PM

LOCATION West - Sec

SITES PARTICIPATING:

MODERATOR Therese K

CONFERENCE MODE: Audio Video _____

PUBLICITY:

PERSONS PARTICIPATING

SITE

chairman: Rep. OSTERBACK

JUNEAU

Invitational

Committee making contacts

SAs date quantity

News Release date quantity

Summary to be provided

Text to be provided

Quotes to be provided

Direct Mail date quantity

Phone date quantity

Post at Info. Office

Post other local locations

SPECIAL NOTES:

*info. on exact # of sites to be supplied

JUNEAU LOCATION:

Rm. 119

POST-TELECONFERENCE NOTE:

Participants 3

Observers 2

Total 5

TELECONFERENCE HEARINGS



Please Print.
To be returned to Teleconference Moderator.

PARTICIPATION FORM

NAME ARVID E. WAISANEN JR

Here to Testify

REPRESENTING SELF

Here to Observe

MAILING ADDRESS 5140 S. 22nd Ave, Ariz zip 85027

TELEPHONE NUMBER 314-3000

BROADCAST CONSENT: This proceeding may be broadcast live or recorded for later broadcast by radio or television stations. Please indicate your consent by signing below.

[Signature]
(signature)

EVALUATION: Have you participated in other legislative teleconferences? NO If so, how many? _____

How did you learn about this hearing?
HEARD TELEVISION
TELEPHONE NEWS

Would you have participated in this hearing if the network were not available? NO

If yes, did you use the network
_____ instead of travel
_____ instead of phone conversations
_____ instead of mailed testimony?

Are you also providing written testimony? _____

DATE 3/1/80 SUBJECT United Energy LOCATION MS 50

TELECONFERENCE HEARINGS



Please Print.
To be returned to Teleconference Moderator.

PARTICIPATION FORM

NAME RONALD W. WAISANEN

Here to Testify

REPRESENTING MYSELF

Here to Observe

MAILING ADDRESS 1543 1/2 K ST. ANCHORAGE Zip 99501

TELEPHONE NUMBER 907-277-8347

BROADCAST CONSENT: This proceeding may be broadcast live or recorded for later broadcast by radio or television stations. Please indicate your consent by signing below:.

(signature)

EVALUATION: Have you participated in other legislative teleconference? NO If so, how many? _____

How did you learn about this hearing?

1) ALICE ESTERHUIS

2) MR. CHARLES STINE

Would you have participated in this hearing if the network were not available? _____

If yes, did you use the network

_____ instead of travel

_____ instead of phone conversations

_____ instead of mailed testimony?

Are you also providing written testimony? _____

DATE 3/3/88 SUBJECT WATER TREATMENT LOCATION ANCHORAGE

TELECONFERENCE HEARINGS



Please Print.
To be returned to Teleconference Moderator.

PARTICIPATION FORM

NAME Pauline Waisanen

Here to Testify _____

REPRESENTING _____

Here to Observe X

MAILING ADDRESS SR. Box 5224, Wasilla, Alaska zip 99687

TELEPHONE NUMBER 376-5019

BROADCAST CONSENT: This proceeding may be broadcast live or recorded for later broadcast by radio or television stations. Please indicate your consent by signing below:

Pauline K. Waisanen
(signature)

EVALUATION: Have you participated in other legislative teleconferences? No If so, how many? _____

How did you learn about this hearing?
McCarney's Office

Would you have participated in this hearing if the network were not available? Yes

If yes, did you use the network
_____ instead of travel
_____ instead of phone conversations
_____ instead of mailed testimony?

Are you also providing written testimony? No

DATE March 3, 1980 SUBJECT Unsettled Estate LOCATION Wasilla, Alaska

TELECONFERENCE HEARINGS



Please Print.
To be returned to Teleconference Moderator.

PARTICIPATION FORM

NAME Debra Staden Here to Testify

REPRESENTING Self/Debra M. Staden Here to Observe

MAILING ADDRESS PO Box 967 Wauville Zip 99687

TELEPHONE NUMBER 376 2117

BROADCAST CONSENT: This proceeding may be broadcast live or recorded for later broadcast by radio or television stations. Please indicate your consent by signing below:

Debra Staden
(signature)

EVALUATION: Have you participated in other legislative teleconferences? no If so, how many? _____

How did you learn about this hearing?
by advertisement

Would you have participated in this hearing if the network were not available? no

If yes, did you use the network
_____ instead of travel
_____ instead of phone conversations
_____ instead of mailed testimony?

Are you also providing written testimony? _____

DATE 3-2-80 SUBJECT Spinal Injury LOCATION Wauville

TELECONFERENCE HEARINGS



Please Print.
To be returned to Teleconference Moderator.

PARTICIPATION FORM

NAME Thomas J. Johnson

Here to Testify _____

REPRESENTING self

Here to Observe X

MAILING ADDRESS SR 12721 Waukena Zip 99689

TELEPHONE NUMBER 324-5036

BROADCAST CONSENT: This proceeding may be broadcast live or recorded for later broadcast by radio or television stations. Please indicate your consent by signing below:

Thomas J. Johnson
(signature)

EVALUATION: Have you participated in other legislative teleconferences? no If so, how many? _____

How did you learn about this hearing?
Pat Carney called me

Would you have participated in this hearing if the network were not available? no

If yes, did you use the network
_____ instead of travel
_____ instead of phone conversations
_____ instead of mailed testimony?

Are you also providing written testimony? Yes

DATE Nov 6, 1980 SUBJECT limited entry LOCATION Waukena

Alaska State Legislature

TELECONFERENCE HEARINGS



DATE: March 3, 1980

LOCATION: Dillingham

SUBJECT: Limited Entry

NAME	REPRESENTING	ADDRESS	PHONE	HERE TO OBSERVE	HERE TO TESTIFY
Wassillie Hansen	self	NEW STUYAHOK			X
YAKO TUNGIUNG	SELF	KOLIGANEK			X
ANNIE AMATUNAK	SELF	TOGLAK			X
SAM FOX	SELF	DILLINGHAM			X
FRED TORRISI	SELF	DILLINGHAM			X
EVAN CHUNAK	SELF	NEW STUYAHOK			X
EVAN FLETCHER	SELF	DILLINGHAM			X
LUCY GLOKO	SELF	MANOKOTAK			X
RANDOLF ALVAREZ	SELF	NAKNEK			X
ORVILLE BRASWELL	SELF	DILLINGHAM			

BETHEL (WALLY)

WILSON SYMON, SR.
ARTHUR P. NELSON

Anch (Effie)
ROBT. J. LOWAN
Sgt. ROBT. BROWN

DHAM (Dorothy)

HEUMAN ANDERSON, MANATOKEK

KODIAK (MARY JO)
* WAYNE MARSHALL, KODIAK AREA ASSOC

MIKE MULLAN, SELD
MATT SAMIN, AK. LEGAL SVCS

KOTZEBUE (MARY)

SITKA (Charlie)

Ketch (Sandy)
ROBT. ALMQUIST
ALBERT SELLE

NOME (BOB)

VALDEZ (PAT)

WASILLA
ARVID WAISANEN

Fry
HENRY MITCHELL

SOLDOTNA
LOTTIA EDELMAN, Kumi Perin
Fisherman ASSOC.

THE UNIVERSITY OF CHICAGO
DIVISION OF THE PHYSICAL SCIENCES
DEPARTMENT OF CHEMISTRY
5708 SOUTH WOODLAND AVENUE
CHICAGO, ILLINOIS 60637
TEL: 773-936-3700
FAX: 773-936-3701
WWW: WWW.CHEM.UCHICAGO.EDU

TELECONFERENCE HEARINGS



LIMITED ENTRY TELECONFERENCE
-HOUSE RESOURCES-

04 2001 13.23 JAGI 0070 13.23 03/03/00

DILLINGHAM

LIN MODERATOR FOR LIMITED ENTRY TELECONFERENCE
ON 3/3/00 IN DILLINGHAM

BELOW IS A TENTATIVE LIST OF PEOPLE FOR THE TELECONFERENCE ON LIMITED
ENTRY THIS AFTERNOON:

- DAVID FORK, REPRESENTING SELF, DILLINGHAM
- FRANK FORKISH, ATTORNEY, DILLINGHAM
- LEON THURMAN, SELF, NEW STUYAHOK
- BARBARA MONROE, SELF, NEW STUYAHOK
- DAVID LUTCHER, SELF, DILLINGHAM
- LOUIE GLOVE, SELF, NANOKOTAN
- WANDA BROWN, SELF, NANOKOTAN
- ORVILLE BRADWELL, SELF, DILLINGHAM

THERE ARE SEVERAL THAT I AM NOT SURE WILL TESTIFY, THEY ARE MAYBES:
BOB OYALUK, NEW STUYAHOK
JIM TILLEN, DILLINGHAM
BOB WHEELER
LEONARD FLORESTA, DILLINGHAM

- WALTER HANSEN, SELF, NEW STUYAHOK
- YAKO SUNDHOLM, SELF, KOLISANAK
- ANNIE BRADY, SELF, TOSIAR

THE ABOVE ARE TO TESTIFY

LEONARD FLORESTA, SELF, NEW STUYAHOK WILL NOT BE TESTIFYING AS INDICATED

WANDA BROWN, REPRESENTING SELF, NANOKOTAN, ALASKA WILL BE
TESTIFYING TODAY

JOHN J. KRUTSEN, REPRESENTING SELF AND OTHERS, MAY BE TESTIFYING THIS
AFTERNOON.

LEONARD FLORESTA, WILL BE PRESENTING WRITTEN TESTIMONY TO THE COMMITTEE

LARD JERRY 10:30 AMI 1954 12 20 02704/00

10:30 AM
1954 WALLY

NEW SOURCE OF SOURCE 11 00 57

NAME
FRANK JOY
WILSON L. SIMON
WILSON L. SIMON
PETER ALLEN

WILSON L. SIMON
NUNAN KILLUTSIOTI
NUNAN KILLUTSIOTI
" "
" "

HOME TOWN
RETHEL, ALASKA
RETHEL, ALASKA
" "
" (WAS NOT ABLE TO
RETHEL, ALASKA

NAME
WILSON L. SIMON

" "

GO TO WORK
RETHEL, ALASKA
RETHEL, ALASKA

NAME
WILSON L. SIMON

NUNAN KILLUTSIOTI

FROM BILLYBROT
WILL SEND WILSON L.

NAME
WILSON L. SIMON

" "

FORBROOK BAY, ALASKA
RETHEL, ALASKA

NAME
WILSON L. SIMON
RETHEL

" "

FROM FORTYFOURTH AVE.
RETHEL, ALASKA

NAME
WILSON L. SIMON

" "

WILL SEND WILSON L.
RETHEL, ALASKA

WILL SEND WILSON L. SIMON WHO WERE ABLE TO COME BY THE OFFICE FOR ME
WILL SEND WILSON L. SIMON WHO WERE ABLE TO COME BY THE OFFICE FOR ME
WILL SEND WILSON L. SIMON WHO WERE ABLE TO COME BY THE OFFICE FOR ME

BY:

TELECONFERENCE HEARINGS



LIMITED ENTRY TELECONFERENCE
- House Resources -

4832 2932 15.24 JAO1 0107 15.24 03/03/00

TO DEBBAN
FROM WELY

BETHEL

ADDITIONAL NAMES THAT ARE GOING TO TESTIFY.

RALPH HORN, BETHEL
ROBERT WICKOLSON, BETHEL
BERNARD MUMAM KILUTSISTI, BETHEL
DICK ANDREW, BETHEL
GEORGE PERNO, BETHEL.

I ALSO HAVE EIGHT ADDITIONAL OBSERVERS.

WELBY

FAIRBANKS

STONY FROM MAXINE

THE FOLLOWING IS A LIST OF PARTICIPANTS IN THE HOUSE RESOURCES
LIMITED ENTRY TELECONFERENCE 3/3/00.

1. HENRY W.E. MITCHELL, 1ST & HALL ST., FAIRBANKS AK 99701 PH. 452-0251

(FORMER CHIEF'S CONFERENCE)

OBSERVERS:

1. ROY A. PAINES, 1ST & HALL ST., FAIRBANKS, AK 99701 PH. 452-0251

2. SPEN KIMMELTIER, 1ST & HALL ST., FAIRBANKS AK 99701 PH. 492-2721

(FORMER CHIEF'S CONFERENCE)

FOR THE HOUSE RESOURCES COMMITTEE KODIAK
SELF WITNESSES AT YESTERDAY'S HEARING ON LIMITED ENTRY

WAYNE MARSHALL....KODIAK AREA NATIVE ASSOCIATION

MATT JAMIN....ALASKA LEGAL SERVICES CLIENTS

MIKE MULLAN...SELF

GORDON STODOLTER.....SELF (WILL BE SENDING WRITTEN TESTIMONY)

WELBY

REP. OSTERBACK

written
testimony on HB 665 -
from teleconf. on
3/3/80

BRISTOL BAY NATIVE ASSOCIATION
P.O. Box 189
Dillingham, Alaska 99576

BOARD EXECUTIVE COMMITTEE

RESOLUTION NO. 80-11

WHEREAS, many rural residents of the State of Alaska, in particular the Bristol Bay region have not received limited entry permits for which they were otherwise qualified, solely because of their failure to submit timely applications to the Commercial Fisheries Entry Commission; and,

WHEREAS, the individual persons failure to submit a timely application was due to factors beyond his or her control; namely, the lack of understanding by such individuals of their rights under the Limited Entry Act and of the need to submit an application or be forever barred from pursuing their livelihood; the shortness of the application period; the geographical remoteness of the communities in which such individuals lived from the centers of communication and application assistance, and the misinformation prevalent concerning the standards of eligibility for limited entry permits; and,

WHEREAS, these individuals are now prevented from participating in one of the few only occupations they have known, or that is available to them in their community; and,

WHEREAS, the State of Alaska has an obligation to rectify the injustice caused by the implementation of the Limited Entry Act,

NOW THEREFORE BE IT RESOLVED that the Bristol Bay Native Association supports House Bill 665 and the establishment of a new application period for limited entry permits.

SIGNED

William P. Johnson
President

William P. Johnson

CERTIFICATION:

I, the undersigned secretary of said Association, do hereby certify that the Executive Committee is composed of 10 members, of whom 6 were present at a meeting this 27 day of February, 1980, and that the foregoing resolution was adopted by the affirmative vote of 6 members.

SIGNED

Joseph L. Clark
SECRETARY

Joseph L. Clark

Alaska State Legislature

TELECONFERENCE HEARINGS



DATE: March 3, 1980

LOCATION: Dillingham

SUBJECT: Limited Entry

NAME	REPRESENTING	ADDRESS	PHONE	HERE TO OBSERVE	HERE TESTI
Wassillie Hansen	self	NEW STUYAHOK			X
YAKO TUNGIUNG	SELF	KOLIGANEK			X
ANNIE AMATUNAK	SELF	TOGIAK			X
SAM FOX	SELF	DILLINGHAM			X
FRED TORRISI	SELF	DILLINGHAM			X
EVAN CHUNAK	SELF	NEW STUYAHOK			X
EVAN FLETCHER	SELF	DILLINGHAM			X
LUCY GLOKO	SELF	MANOKOTAK			X
RANDOLF ALVAREZ	SELF	NAKNEK			X
ORVILLE BRASWELL	SELF	DILLINGHAM			

DIVISION OF PUBLIC SERVICES
CHARITY B. KADOW, DIRECTOR

Judy D. Hopkins, Asst. to Director
1024 West Sixth Avenue - Anchorage, Alaska 99501
(907) 274-8518

LEGISLATIVE INFORMATION NETWORK

Sharon Andrew, Coordinator
Room 30, State Capitol
Pouch Y, Juneau 99811
465-4648

LEGISLATIVE TELECONFERENCE NETWORK

Sioux Plummer, Coordinator
Room 30, State Capitol
Pouch Y, Juneau 99811
465-4980

ANCHORAGE INFORMATION OFFICE

Carol Dickason
1024 West Sixth Avenue
Anchorage 99501
278-3668

KETCHIKAN INFORMATION OFFICE **

* Sandy Wendte
415 Main Street, Room 301
Ketchikan 99901
225-9675

BARROW TELECONFERENCE CENTER *

Borough Assembly Room, North Slope
Borough Building, Barrow

KODIAK INFORMATION OFFICE **

Mary Jo Simmons
Kodiak Island Borough Building
P.O. Box 668, Kodiak 99615
486-4881

BETHEL INFORMATION OFFICE

Ruth Richardson "WALLY"
Kuskokwim Inn Annex
P.O. Box 886, Bethel 99559
543-3541

KOTZEBUE INFORMATION OFFICE

Mary Schaeffer
Eskimo Building, 333 Front Street
P.O. Box 667, Kotzebue 99752
442-3880

DILLINGHAM INFORMATION OFFICE

Dorothy Larson
Old Court Room, Combined State Facil.
Pouch 229, Dillingham 99576
842-5319

MAT-SU INFORMATION OFFICE **

Mary Kvalheim
Parks Highway and Knik Road
Pouch N, Wasilla 99687
376-3704

FAIRBANKS INFORMATION OFFICE

Trudy Cain
101 College Road, Building F
Room 252, Fairbanks 99701
452-4448

NOME INFORMATION OFFICE

Bob Scott
2nd Floor Conf. Room, State Bldg.
P.O. Box 1630, Nome 99762
443-5555

JUNEAU INFORMATION CENTER

Room 30, State Capitol
Pouch Y, Juneau 99811
465-4648

SITKA INFORMATION OFFICE **

Charles Bickenheuser
210 Lake Street
P.O. Box 737, Sitka 99835
747-6276

KENAI PENINSULA INFORMATION OFFICE **

Rhoda Eady
Cordova Building, Spur Highway
P.O. Drawer 3280, Soldotna 99669
262-9364

VALDEZ TELECONFERENCE CENTER *

Pat Hickok
City Council Chambers
P.O. Box 713, Valdez 99686
835-4890 (home address and phone)

*On-call moderators - contact through LEGISLATIVE TELECONFERENCE NETWORK
**Open December 15 through end of legislative session; treat as * during interim

WASHINGTON, D.C. TELECONFERENCE SITES

Office of the Governor

Office of Senator Mike Gravel

Office of Senator Ted Stevens

Those Wishing to Testify

Please Sign In:

Want to
testify
on

Bill number:

Name:

Representing:

665

Pamela Finley

Robertson, Mungro, Easton &
Bradley

630

Rick Lauber

Pacific Seafood Processors Assn.

HB665

Nick Shevaloff - Kodiak

Doug Pope, Atty - supports bill

Bob Loht - RURALCAP
supports bill

Evan Debrae Fleture

Aavid Wiseman - Wasilla

Rally Horn - Bethel

Herman Anderson - Bristol Bay

Dir. of Motor Vehicles

Pg. 2 on I.D. card - already use I.D. card they
fishers use & add
members

Paragraph (C) should be class A misdemeanor,
rather than class B

HB 665

1. Nich Sheranuloff ANCHORAGE
2. Doug Pope - ANCHORAGE
3. ~~Bob~~ John, ACAP - ANCHORAGE
4. Synon Wilson, Sr., Bethel
5. Evan Lecture, Billingham
6. Bobby Nicholson, Bethel
7. Horsey Wiseman, Wasilla
8. Ralph & Wren Bethel
9. ~~John~~ Herman ^{July} Anderson, Billingham
10. ~~John~~ Jay - Billingham Billingham
11. Nancy Mitchell, Fair.
12. Pamela JUNE "JNU"
13. Leo A. Land HAINES - JNU
14. David Snyder Dillingham - JNU
15. ~~John~~ Lally Adelman - Kenai
16. Robert Almquist, Ketchikan
17. Albert Sells, KTKN
18. Larry Jones KTKN
19. Warren Marshall Kodiak Kodiak
20. Mike Muller Kodiak
21. Mat Jansen Kodiak

Stadem

22. Marlene ~~Walters~~ - Mat-Su

23. Tom Jansson - Mar-Su

24. Walter Day - Valley

25. Patrick Day - Valley

26. Peggy Day - Valley

27. Randolph - Dillingham

(4) 28. Robert Brown, Anch

~~Walter~~

29. Fred Christ, Dillingham

30. JOE Dillingham

31. Ewan Chorak, New Stuyvesk ^{Bay}

32. Fannie Vaupla, Fogak Dillingham

33. Robert J. Kouran, Anchorage

34. Jack McLean, Anchorage ^{Perla}

35. Mike Huff, Anchorage

36. Gus Ojaluk, New Stuyvesk, Dillingham

37. Charlie Jocko - Pedro Bay, Dillingham

39. ~~28~~ Andrew - Bethel

38. Frank - Dillingham

40. Joe Ditcher ^{son} - Chignik Bay

41. Arnie E. ~~son~~ - New Stuyvesk, Dillingham

42. Yabo Ingot - Knigak Dillingham

43. Kay Kight - Fogak Dillingham

44. ~~Robert Day~~

44. ~~Tom~~ Tilton - Dillingham

45. Tom Benhman, Dillingham

46. Tom Angham, Fogak, Dillingham

47. Richard Allen, Dillingham

48. Helen Chynloch, Anagniak Dillingham

49. Mr. Atty. Balger, Dillingham

50. Isaac Mutt, Bethel

51. Peter ~~Walters~~ Walter Nelson - Bethel

52. Laura Mutt (Arnie), 26 Poinc

Valdez

1. Walter Day - Self
2. Robert E. Day - "
3. Pat Day - "
4. Peggy Day - "
5. Patrick A. Day - "

6. Ed Haultnass - " } observe
7. Basil Ferris - " } may testify
8. Mary Ann Alley - Observer -
may testify

PLEASE LET PAT know at end
of round robin that you have
list.

11-11-50

11-11-50

11-11-50

11-11-50

11-11-50

2632 0000 11.24 JAG1 0107 15.24 03/03/80

BETHEL

ADDITIONAL NAMES THAT ARE GOING TO TESTIFY.

- RALPH HORN, BETHEL.
- ROBERT RICHOLSON, BETHEL.
- MENNIGAN NUNAN KIVLUTSIGI, BETHEL.
- YAKO ANDREW, BETHEL.
- GEORGE KLENE, BETHEL.

2 ALSO HAVE EIGHT ADDITIONAL OBSERVERS.

THANKS

2632 0757 14.52 JAG1 0000 14.52 03/03/80

DILLINGHAM

WALTER WILKINSON REPRESENTING SELF, SIKHOTAK, ALASKA WILL BE TESTIFYING TODAY.

JOHN J. KRUTSIN, REPRESENTING SELF AND OTHERS, MAY BE TESTIFYING THIS AFTERNOON.

LESLIE DONALDSON WILL BE PRESENTING WRITTEN TESTIMONY TO THE COMBAT COURT TODAY.

1000

1000

Alaska Business Council

(N)

BETHEL (WALLY)

WILSON SYMON, SR.
ARTHER P. NELSON

(Y)

~~Alaska~~

Anch (Effie)

Robt. J. Rowan
Sgt. Robt. Brown

(NY)

Dham (Dorothy)

Heimar Anderson, MANATOKEK

(W)

KODIAK (MARY JO)

* WAYNE MARSHALL ^{KODIAK AREA ASSOC}

Mike Mullan, self

MATT SAMIN, AK. LEGAL SVCS

(L)

KOTZEBUE (MARY)

(S)

SITKA (Charlie)

(1)

Ketch (Sandy)

Robt. Almquist
Albert Sallee

(B)

NOME (BOB)

(9)

VALDEZ (PAT)

(10)

WASILLA

ARVID WAISAKIEN

(11)

Fox

Henry MITCHELL

(12)

SOLDOTNA

LOTTIA EDELMAN U, Kmai Perio.
Fisherman Assoc.



STATE OF ALASKA
LEGISLATIVE INFORMATION OFFICE
DILLINGHAM, ALASKA

We are pleased to send the enclosed material in response to your recent request.

Terry Lawson

I have marked in red the ones who actually testified.

Alaska State Legislature

TELECONFERENCE HEARINGS



1pm

DATE: March 3, 1980
 LOCATION: Dillingham
 SUBJECT: Limited Entry
 Teleconference

NAME	REPRESENTING	ADDRESS	PHONE	HERE TO OBSERVE	HERE TO TESTIFY
Jackie Knutsen		Box 187 Dillingham, Alaska	842-5389	X	
Herman Anderson		Manokotak School Manokotak, Alaska			X ✓
Sam Fox		Box 10034 Dillingham	842-5958		X ✓
Yolanda Mucchi Muhic		Box 118 Dillingham, AK	842-5617		
Evan Fletcher Chythlook		Dillingham, AK	none		X ✓
Dan Chythlook Aqli		Dillingham	842-5512		
Frank Cahn		BOX 10223 DILLINGHAM AK.	842-5550	X	
Randy Alvarez		Box 6 NARNEK AK	268-4478	X	X ✓
Fred TORRISI		Box 10047 Dillingham	842-5608		✓
Moses Agajak		Box 104 Logish		X	
Amie Amatanuck Emmie Amatanuck		Toziak			✓

Alaska State Legislature

TELECONFERENCE HEARINGS



1 PM
DATE: March 3, 1980
LOCATION: Dillingham
SUBJECT: Limited Entry
Teleconference

NAME	REPRESENTING	ADDRESS	PHONE	HERE TO OBSERVE	HERE TO TESTIFY
Andrew Dyasuk Andrew Dyasuk		Pogiat			✓
Marilyn Nelson	BBMA	Rt. 189, DLG	5257	✓	
Anuska Kusogta Anuska Kusogta	(Herman Andersen testified on her behalf)	Mandakatah, AK 99629		✓	✓
Gusty R. Chythlook Misty R. Chythlook	Self.	Aleknagik, AK.	5960	✓	
Chuhak EVAN Chuhak Jr.		New Stuyahok Alaska			✓
Tunguing Yako Tunguing	(Herman Andersen testified on her behalf)	Kobiganeh			✓
Gtoko Lucy Gtoko		Mandakatah			✓
Braswell Orville A Braswell					
David Yako		Aleknagik		✓	
Lee Hill Lee Hill		Aleknagik		✓	
Kevin O'Lea		Mondalton		✓	

TELECONFERENCE HEARINGS



1 p.m.
DATE: March, 1, 1980
LOCATION: Dillingham
SUBJECT: Limited Entry
HB 665
HB 670

NAME	REPRESENTING	ADDRESS	PHONE	HERE TO OBSERVE	HERE TO TESTIFY
^{Dingman} Jim Dingman	self	Box 82 Dig. Ak	5949	✓	✓
^{Harbeson} Mary Harbeson	self	^{PO} 10188 Dig. AK	—	✓	—
^{Coolidge} Nellie Coolidge	Self	Box 1 Aleknagik	—	✓	—
James Maud	Self	Box 1 "	—	✓	—
^{Bavilla} Fannie S. Bavilla	Self	Box 88 Togiak	—	✓	✓
Charlie Jacko	Billie Jacko	Pedee Bay, Ak. 99647	793-8001	—	✓
^{Oyalluk} Hunt Oyalluk		New Stuyahok Alaska			✓
Oleanna Hansen		Portage Creek		✓	
Wasely Pitka		Portage Creek		✓	
Carma Spj		Dillingham Ak			
^{White} Roy White	self	Egegik	246 3430	✓	✓

Alaska State Legislature

TELECONFERENCE HEARINGS



194
DATE: March 1, 1980
LOCATION: Dillingham
SUBJECT: Limited Entry
HB 665
HB 630

NAME	REPRESENTING	ADDRESS	PHONE	HERE TO OBSERVE	HERE TO TESTIFY
Richard Alto	self	Egegik AK	246 3430	✓	✓ ✓
Douglas Anabelle Douglas		Egegik, AK	246 3430	✓	
Kinikalk Leon Kinikalk		Togiak			
THOMAS TICOMAN	SELF	DILLINGHAM	5291		✓
Kay E. Larson	BBNA	Delgo, AK	5257		(written) ✓
VAL AN...	SELF	Delgo, AK	5257 5763		
Helen Chythlook	self	DLG AK	5582		✓
Joel Bolger	ALSC	DLG AK	5582		✓
Carl Larson		Delgo AK			
Harry Barnes		DLG			
Harry Barnes		DLG			
Gene A. Johnson		DLG	5685	✓	

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VOL. XXVI, NO. 62

ANCHORAGE, ALASKA, SATURDAY, JULY 15, 1972

24 PAGES PRICE TEN CENTS

Bristol Bay fish run fails

Tough winter ahead for salmon fishermen

By ALLAN FRANK
Daily News Staff Writer

The winter in Bristol Bay, regardless of the weather, is going to be the worst ever, according to state Senate President Jay S. Hammond, R-Naknek.

Hammond lives near the Naknek-Kvichak real salmon fishery that currently is producing more fear of the future than fish.

He runs the Lake Clark Lodge and a guiding service while his wife Della handles a service fishing operation about two and a half miles from Clark Fork.

"The situation for fishermen is an absolute bleak, as the people have taken less than 50 fish. The normal average for last year is 200 fish. In my 20 years down here, I've never seen it worse," Hammond said Friday.

"My wife caught not over 100 fish in her net and my fishing partner got a net of 150. We know it was going to be a poor year, but not like this. Last year, which was a good one, they would have taken 5,000 to 6,000 fish. We're not even in the ballpark this year," he said.

Hammond said that last season, when most had enough fish of 27 cents a pound to afford a maximum of 1,000 to 1,500 in a year, was in a very poor year.

"I've been trying to sell Clou, fish oil, but it's just coming back from Alaska," Hammond said, "and the prices here aren't working too well."

"It's going to be a lean and tough winter here. I want the governor to come out to take a look at things, to see what we can do this year. It will have a much impact on the winter program, anyway," he said.

"I don't know if they're really on fishing, but going to be really stopped. Most of the 4,000 Bristol Bay residents will be impacted by the poor run and by a heavy tax, so what the fishing market has paid, the state and the fishermen," Hammond said.

An average fisherman has caught this year while a month ago he would be at 27 cents a pound, most have written me to catch about 1,500 fish before the season ends, he said.

Land group named

JUNEAU — Gov. William Egan today announced the appointment of eight persons, four by the state and four by Interior Secretary Rogers Morton, to the new State-Federal Land-Use Planning Commission.

The commission was required under provisions of the Alaska Native Land Claims Settlement Act.

AMONG OFFICIALS named, Egan said, the commission will help administer the settlement act, particularly in the identification of public easements across Native selected lands for recreation and commerce.

Appointed by Egan were:

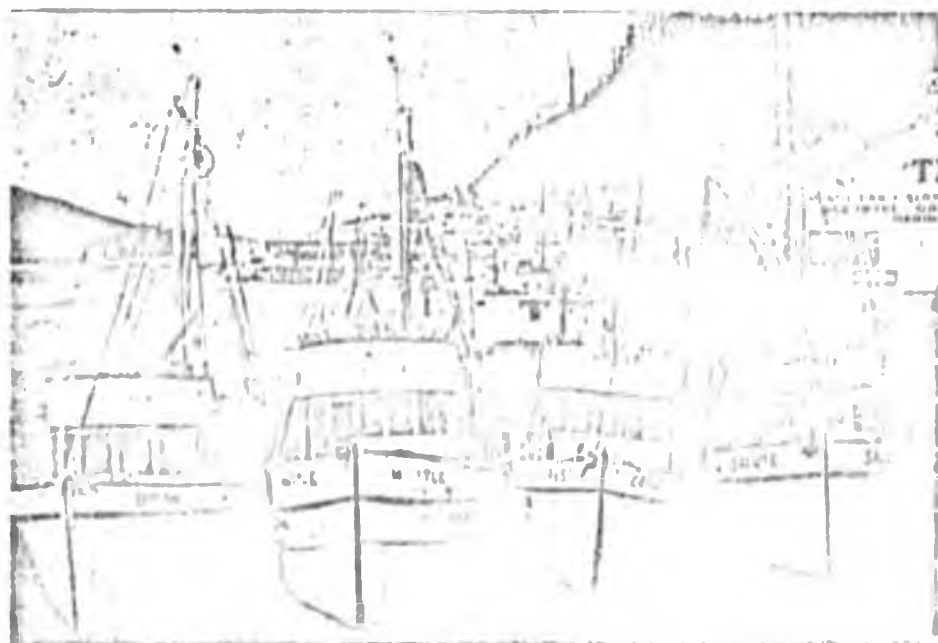
— Dr. Max Brewer, state Commissioner of Environmental Observation and former long-time director of the Naval Arctic Research Laboratory at Barrow.

— Natural Resources Commissioner Charles Herbert, a mineral geologist.

— JAMES HURLEY, owner of a fish processing company in Palmer who now works on the Federal Alaska Rural Rehabilitation Corp. and was a member of the first state legislature.

— Harry Carter of Kodiak, executive director of the Alaska Federation of Natives.

Egan said Morton had named:
(Continued on Page 2)



Alaska fishing boats, at a pier in a coastal fishing community. Commercial fishing is a major source of income in coastal towns from Southeastern to Southwestern Alaska.

If fish run during the short summer season does not achieve expectations, the economic base of coastal communities is severely threatened.

An analysis: Half the salmon show up

By NININ WITSE
Of the Daily News

Another fishing disaster has hit the Bristol Bay.

Only about one half of the scheduled volume of red salmon was in the run in the region that is usually Alaska's richest single fishery. And this fall is on top of what had been forecast as a "poor year."

Just Bristol Bay runs 2.3 million were taken in the commercial fishery and slightly under 2.7 million per year fishing gear to ports, and for future.

An additional threat feature in the forecast is the fact that there appears to be an additional changing fish to add to spawning stocks for the future even though fishing has been halted for

years of use of different from one that runs for three years in the high area.

From the standpoint of the fishermen who depend on Bristol Bay salmon for their livelihood the present situation is bleak.

A preliminary survey indicates that "high boat" for the region will not exceed 4,000 salmon the crews can stand to catch, and it will be a long time

Bullets and bombs in

Thanks to the Times

If today's Daily News looks different — it is. It is printed on the finest paper of the Anchorage Daily Times.

Early this year, The Daily News gave some of its old printing presses to the State of Alaska. The press was used for the daily newspaper. In fact, we were one of the first to use a circular printing press, and we are working toward the clock to meet the problem, and down here from the Alaska.

Meanwhile, our thanks to the State of Alaska, and the publisher of the Daily News, and all those of the Times who have been so helpful.

Board rules Garrigues

once served on the Federal Alaska Rural Rehabilitation Corp. and was a member of the first state legislature and.

— Harry Carter of Kodiak, executive director of the Alaska Federation of Natives.

Egan said Morton had named:
(Continued on Page 2)

Bullets and bombs in Belfast

By COLIN FROST
American Press Writer

BELFAST, Northern Ireland (AP) — British troops and Irish guerrillas firing rockets burst across Belfast Friday in one of the heaviest fighting the embattled city has seen.

The persons were killed in the battle Friday and early Saturday — a woman, five soldiers and four civilian men. The toll in three years of sectarian fighting rose to 416, with 223 killed this year alone.

THE WOMAN was killed in cross-fire between British troops and snipers as she stood in the doorway of her house.

A bomb planted in a car on Adelaide Avenue exploded, damaging six houses. Troops dispersed in the area came under heavy sniper fire.

In London, the Ministry of Defense announced it was making a "substantial number" of additional armored vehicles in Northern Ireland. Each can carry a dozen troops.

BATTLES continued through the afternoon with concentrated snipers on ten police stations in West Belfast and sniping attacks on many points in the city.

Bombs landed here and elsewhere in Britain and damaged the war-torn coast.
(Continued on Page 2)

Police seek Paul McNutt in connection with deaths

City Police investigators are following up on "a lot of calls" concerning the whereabouts of a man wanted for questioning in the double slaying slaying of two Air Corps men, but so far the police have proved to be dead ends.

A radio spokesman Friday commented on the possibility of the missing man, Paul McNutt, who lives in Port Franklin, being a suspect in the slaying. "We just don't know his whereabouts that could be very helpful to the case," he said.

LEE SPARKS, 36, McNutt, a freelance advertising and promotion man, is highlighting the investigation of the slaying of Ray John Harris, 23, and Donald Lee Harris, 22. Both men were gunned down by a shotgun in their struggle in the back of a

Half the salmon show up

By JOHN WIEZER
One-Alaska Editor

Another fishing disaster has hit the Bristol Bay.

Only about one half of the anticipated volume of red salmon were in the run in the region that is normally Alaska's richest single fishery.

And this half was in an "off" year. To make things worse, the fishing effort that had been mounted for the season was almost as large as that of 1971 which was a relatively "good" year.

The total of all Bristol Bay river systems runs — harvest as well as escapement — was barely over five million red salmon, according to Larry VanRay, management biologist for the Alaska Department of Fish and Game.

This compares to a forecast published last fall by the department for total runs of 10.3 million red.

It compares to roughly 40 million fish that constituted the big 1970 season — just about one eighth as much by the numbers but probably somewhat better than that because the individual fish were larger this year than those of the 1970 year.

Of the five million fish in the cur-

rent Bristol Bay runs 2.3 million were taken in the commercial fishery and slightly under 2.7 million got past fishing gear to provide seed for future.

An additional dismal feature in the situation is the fact that there is said to be no additional escapement fish to add to spawning stocks for the future even though fishing has been halted for more than a week in the major locations.

What caused the shortage of fish is being probed by the state's scientists. There is some vague hope that maybe of the salmon stocks remained out in ocean pastures and that they could appear with runs that will come in next season, but that's strictly speculation at this point.

"What we seem to be short of is the 'two-ocean' fish," VanRay said in King Salmon yesterday.

Indicators that had been relied on for the 10.3 million fish forecast anticipated that over half of the 1972 red salmon would be these "two-ocean" types which is a term used by biologists to denote a salmon that spends two

years at sea as different from one that stays for three years in the high seas.

From the standpoint of the fishermen who depend on Bristol Bay salmon for their livelihood the present situation is bleak.

A preliminary survey indicates that "high boat" for the region will not exceed 4,000 salmon this season and the average catch is no better than 2,000. This figure is for a boat with a two-man crew and the cash yield involved is "gross stock" and not net earnings.

There were 2619 fishing units registered for the 1972 season and that's less than 100 fewer than last year and it's within 150 of the registration for the record 1970 harvesting effort.

The result of the excessive fishing effort coupled with the abnormally small show of fish makes it certain that there are more fishermen who failed to make catches in Bristol Bay this season than there were in even a modest year.

Data have not been gathered and totaled yet about the results from processors' standpoints. But it is certain to denote a salmon that spends two

(Continued on Page 2)

"It's going to be a lean and rough winter here. I want the processor to come out to take a look at Bristol to see what it's like this year. It will have a rough impact on the welfare program, among other things.

"PEOPLE WHO rely totally on fishing are going to be really messed. Most of the 4,000 Bristol Bay residents will be impacted by the poor run, and to a lesser extent, so will the cannery workers from Bethel, the Kotzebue and the Yukon-Charley." Hammond.

An average red salmon (mackerel) this year weighs about as much as at 27 cents a pound, most boat owners need to catch about 1,500 fish before they begin to make any money.

About 1,700-1,800 boats, usually with crews of two, have been fishing in Bristol Bay this season as here about 700-800 processors, according to Hammond.

He estimates that about 40 per cent of the fishermen are non-residents and an additional 20 per cent reside in Alaska, but far from Bristol Bay.

"I KNOW of only two people with boats who will make their expenses. They fished out and caught a couple of thousand fish," he said.

Mike Moxam and his son, Tommy, who fish from the 32-foot gillnetter Tommy M., were among the lucky fishermen.

"We didn't do very well, but we caught a few, probably 2,400 fish. We
(Continued on Page 2)

...ret the problem, was down here from Los Angeles.
...Alaska, our thanks to Robert E. Atwood, editor and publisher of the Daily News, and all those of the Times who have been so helpful.

2

Board rules Garrigues had conflict

By LINDA BILLINGTON
and PAM MILLER
Daily News Staff Writers

"We are surprised, but I had figured they'd just plain sail my hide to the wind," said Borough Assemblyman James Garrigues Friday upon learning that a board of ethics had ruled he had a conflict of interest in clearing land for the construction of Carr's shopping center in Nunsuka Valley.

The board, created by an ordinance which Garrigues ironically introduced, decided that the former assembly president should have disclosed his interest in the project before voting June 12 on an appeal by Nunsuka Valley homeowners.

THE DECISION came about six hours after the four-member board held a public hearing on the Garrigues complaint, which was instigated by the valley property owners after they saw Garrigues clearing the land for the center.

However, the board, in a letter from board chairman Richard Albert, pointed out that the ordinance does not specifically define just what private or financial interest would cause a conflict. Therefore, the board recommended that the Borough Assembly, which has the final word in the issue, set the standard for Garrigues. In addition, the board suggested that the ordinance be amended to clarify the muddy ethical waters.

Albert, who heads the board composed of Borough Chairman John Appert and Assemblymen Ed Wills and Don Marsh, declined to comment on the facts. Albert said only that the board would submit its report and recommendations to the assembly at the body's Monday meeting.

GARRIGUES contended after the decision that the "main purpose of the board is to help with us to stop people from using their position as assemblymen from getting financial benefit doing business for the borough."

Requesting an amendment to disclose his interests in advance of doing business with a private firm before a contract is formally signed, he said, "would mean putting yourself in a rather vulnerable position where your competitors are concerned."

Garrigues, who is running for the State House from District 19, said he thought he would continue with his campaign. "I don't feel that I did one out of line."

Chairwoman!

MIAMI BEACH, Fla. (AP) — Breaking with tradition, Democratic presidential nominee George McGovern chose a woman on Friday to become national chairman of the party to meet in Dallas.

Jean Westwood of West Jordan, Utah, who helped organize McGovern's campaign, was the 30-year-old choice for the post, national chairman.

The 100,000-member P. O'Brien, twice the party's chairman.

was in Spanish Road early Tuesday. McGovern was participant of the club. Hoyer wanted as a club here.

Although several persons have called in to report knowledge of the 60-year-old McNutt, whose last known address was the Ventura Hotel, police investigation officer Sgt. Ray One said that following on the rule had produced no new information. "They do want to know if it was the wrong person."

McNutt had done promotional work in the past for the Post of Honolulu and had been seen at the club several days before the slaying, according to a police spokesman.

"We don't know if McNutt is in Anchorage or not," One said. "We don't even have any idea if he's in the
(Continued on Page 2)



Mrs. George McGovern, wife of the nominee, waves to the delegates at the Democratic National Convention Wednesday night in Miami Beach, Fla., after her husband won the Democratic presidential nomination on the first ballot.

Smooth time!

By DON SACON

MIAMI BEACH — The Democratic National Convention has ended and officials and delegates say they are pleased to have smoothly things over.

"It's beautiful," said Convention Manager Richard Murphy, surveying the situation Friday.

PART OF the relative serenity and apparent good-will prevailing here — despite two all-night sessions last Monday and Tuesday — could be attributed to the convention's reform rules, which often were designed to participate in decision-making and provide important new outlets for letting off steam.

But what apparently has caused the convention to fall, in contrast to the violence and disorder of 1968, was an early general acceptance here of the inevitability of presidential candidate George F. McGovern.

The Convention Center, which set the model of decorum, seemed at times like a gigantic social gathering, with delegates and non-delegates interacting around freely and related. Their way of violence reduced, convention floors occasionally used but on the right security precautions originally in place and allowed large

(Continued on Page 2)

(Continued From Page 1)

— Celia Hunter of Fairbanks, executive secretary of the Alaska Conservation Society, and charter member of the Bureau of Land Management's Advisory Board for Alaska;

— ANCHORAGE Mayor George Sullivan, a transportation executive and former deputy U.S. Marshal at Nentona;

— Dr. Richard Cooley, an ecologist, geographer and geography and environmental studies program chairman at the University of California at Santa Cruz, and author of three books and various articles about Alaska, and,

— Joseph H. Fitzgerald, former state chairman of the Federal Field Committee for Development Planning in Alaska and coordinator for the Alaska Earthquake Recovery Program, now living at Seely Lake, Mont.

COCHAIRMEN of the commission are Egan and Jack O. Horton, former Deputy Undersecretary of Interior, appointed to the new post by President Nixon last March. Egan's representative on the commission will be state Atty. Gen. John Havelock.

Egan said the commission's long-range charge is to undertake planning, based on public hearings and information supplied by government agencies, "which will help in determining the areas best suited for permanent federal ownership and what lands should be disposed of to private parties."

The goal, Egan said, is to insure that "economic growth and development is orderly, planned and compatible with the environmental objectives and the economic and social well-being of the residents of Alaska."

THE STATE effectively will have a veto over any recommendations issued by the commission. The claims act provided that the commission's recommendations will require concurrence of both the state and federal co-chairmen.

Egan called the new commission "one of the most important ever established as far as Alaska's orderly development is concerned." He praised the appointments who he said "together represent a vast storehouse of knowledge and expertise on Alaska's land-use needs."

1200 of land management said there was 21 new fires Thursday, most of them small and causing no major difficulties.

The Anchorage and Glennallen areas are starting to get cool, overcast weather which may dampen the spread of the lightning hits which has caused about 200 fires this week.

"The late season really zapped us," said one RLM spokesman describing the frantic pace of the fire control offices this week.

Smooth time...

(Continued From Page 1) numbers of non-delegates access to the floor with only the strictest of credentials required.

STREET demonstrations, including some diverse groups who have been camping in nearby Flamingo Park, were of good humor and although they marched from the park to the convention hall from time to time, they never attempted to gain entry or otherwise disrupt the proceedings.

A noisy contingent of New Left demonstrators, disturbed over McGovern's latest statement on Vietnam, marched on Wednesday to his headquarters hotel, the Doral, and occupied the lobby for several hours. The protesters did not appear to be angry at McGovern, only anxious to have renunciation of his position against maintaining a U.S. presence in Indochina. McGovern, electric bulb in hand, finally quieted them by appealing and answering their questions.

MONDAY NIGHT'S fight over the California delegation's credentials took the starch out of even the most vehement anti-McGovern partisans and removed all reason from their direction of events here. In Wednesday only a handful of open candidates remained in the race against the South Dakota, while Hubert H. Humphrey and Edmund S. Muskie, bowed out before the balloting, urged party unity.

Half the salmon...

(Cont'd from Page 1) that the price of canned red salmon is going to be substantially under what had been expected, a condition that could result in another increase in prices for a product that is already at an all-time record high of \$48 per can.

Preliminary figures indicate that some Bristol Bay streams diverted salmon into brown stocks this season which will offset the overall canned pack with an additional reduction compensating the failure of the runs.

There is rumor, so far unconfirmed, that appeals to state and federal authorities have been issued to alleviate an anticipated disastrous economic situation that will almost certainly confront communities in Bristol Bay that relied almost totally on the salmon fishing.

Sun and Tiles

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3000 S. ANCHORAGE

women who observed the murders. Although police had formerly refused to say how police had been notified of the shootings, a spokesman Friday admitted that the witness had called the department.

The whereabouts of the witness are also being kept under wraps and police say only that she is "under police protection."

One refused to reveal any details of the investigation itself, saying only that the seven city investigators "are following up various leads that have been developed."

THE APD is being aided by the State Troopers who had sent several investigators to the case.

Police have ruled out robbery as a motive for the killing, but refused Friday to speculate on another motive. No arrests have been made.



Paul McNutt... sought by police

No chess replay

REYKJAVIK's latest shot — Bobby Fischer chess Friday that tournament organizers termed it "upset and provocative" deliberately, but an appeals committee rejected his request to replay the chess game he lost to Boris Spassky.

The world champion from the Soviet Union was awarded Thursday's second game in the championship match when Fischer refused to appear, staying in his hotel suite, because he objected to three moving picture cameras in the hall.

Thus Spassky, who won the first game, was 2-1 in the 26-game contest. He needs 10 more points to retain the title. A victory counts one point and a draw half a point.

Fischer said that if the forfeit ruling were reversed and all cameras were removed he would go ahead with the match. This demand came despite the fact the move and television rights allowed the Icelandic Chess Federation to offer a record \$125,000 purse for both players.

Commander Thorsteinsson, president of the Icelandic federation, said the cameras would be removed, but that Spassky's game point would stay. That will left the honor of the champion.

Tough winter in Bristol Bay...

(Continued From Page 1) probably broke even, but there's a lot of people down here who probably didn't get that," Nick Menon said.

"In the 24-hour fishing period we caught 1,100, and in the two 12-hour periods we went out we got 700 and 600. We know it would be poor, but I thought we might get 3,300," he said.

KENNETH R. MIDDLETON, regional supervisor for the commercial fisheries division of the Alaska Fish and Game Department, said the anticipated harvest, presently 2.3 million fish, is "only 50 per cent of what we forecast."

The season in Bristol Bay will be reopened July 17, although Middleton said, the catch is expected to be minimal since the run usually has ended by then.

He added that hard winters and severe ice packs have been rough on salmon eggs and young fish, which may account for the bad run of sockeyes and the small (40,000) king salmon run

which is off about 35-50 per cent.

Some fishermen feel that the high near Japanese fishery, which took about 400,000 sockeyes, and interception of migrating Bristol Bay salmon by fishermen at False Pass also may have adversely affected the run.

MIDDLETON said Fish and Game Department scientists are trying to figure out what has caused the disaster in Bristol Bay. Hammond, Egan and others will be calculating how to offset the economics of a "grim winter."

The economic consequences already are apparent. Terry Shvedchik, who earns his daily bread by buying cannery workers and fishermen between King Salmon and Nabeck, said business is way off.

"Business is down because most of the canneries were running limited operations. Already 200 to 300 independent fishermen have gone home and most of them have lost the year's catch," Shvedchik said. "All you can really say is, low as a bum year."

Bullets and bombs in Ireland

(Continued From Page 1) ter of Londonderry, the province's second largest city.

The British army, also joining its low water policy of the past three months, stormed the Davis Street housing development, half a mile from Belfast's city center, searching for arms and gunners of the Irish Republican Army. Troops stayed posted on the development's roofs and balconies to flush out snipers.

MORE THAN 700 troops on the western outskirts of the city fought a night-long battle with guerrilla opera-

ting from the Roman Catholic arm of a modern housing development.

The army claimed 35 gunmen were hit in battles throughout Belfast.

William Whitelan, Britain's administrator for the province, told the House of Commons that 3,000 rounds were fired at troops from the Davis Street complex.

"ROCKET launchers have also been used in the area by terrorists for the first time," he said. Declaring this increased the risk of damage and casualties, Whitelan announced he had ordered the army to "control the areas from which the attacks were launched."

A clarification

The Daily News would like to clarify the Alaska Supreme Court action on transportation complaints by Eagle River as reported in Erwin's edition.

Justice Robert Erwin met with Eagle River residents early Friday morning and agreed to hand carry the complaints to Justice.

The court waived its rules to consider the complaints and stated reasons for denying the complaints in the court's final order.

Erwin then hand carried the written order from Justice to Borough Assessor Ed Willis.

ANCHORAGE DAILY NEWS

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Cochran helps Pilots dump Hawaii 7-1

Greg Cochran, seldom used while at Arizona State University as a freshman, whose last effort as a Glacier Pilot was four innings of relief last Saturday, put in his bid for next week Friday night.

Only a second year pitcher, Cochran, relying on a fastball 75 per cent of the time, brushed aside the Hawaii All-Stars with three hits while his teammates pinned Ed Mason five times as much on route to a 7-1 victory at Mahalo Park.

Cochran, now 1-1, experienced a

fast ball bag, and Brian Tschabo's shot that bounded off the Pilot's hurler and rolled behind the mound in the sixth, he breezed through the lineup.

Meanwhile the Pilots, with three hits each from Roy Hyer, Murray Aguilar and Dave Oliver, topped Mason early, often and late, the exception being the eighth when Anchorage failed to push across at least one run.

Table with columns for GAMES PLAYED, HITS, RUNS, ERAS, INNINGS, etc. for various players and totals.

Table with columns for HITS, RUNS, ERAS, INNINGS, etc. for various players and totals.

brief span of trouble only twice, once in the first inning when the Hawaiians scored their only run with the assistance of two base-on-balls, and on the fourth when with two down he walked Jack Lada and gave up a double to Jimmy Llamas, but he fanned catcher Ron Sorenson and the frame and pitched the Pilot 3-1 lead.

In going the distance the 18-year-old Cochran, much out even and walked long, except for Lada's infield single in the second, Llamas's double that curled far just inside the

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Referred: Resources

1 IN THE HOUSE

BY ANDERSON

2 HOUSE BILL NO. 665

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 late applications for limited entry
7 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 the
13 closing date for applications set by the commission in accordance with AS 16.
14 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 of
18 hardship, as defined in AS 16.43.250, it is necessary to ensure that persons
19 eligible for permits are not denied permits solely because of a failure to
20 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 after

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1 the closing dates of the application period for the fisheries, but before the
 2 effective date of this Act shall be considered to have applied under this
 3 section. The Alaska Commercial Fisheries Entry Commission shall process
 4 applications received under this section as if they had been submitted during
 5 the application period set by the commission, except that the commission
 6 shall afford an additional reasonable period of time for the submission of
 7 supporting evidence. The application period established in this section
 8 shall open on the effective date of this Act and shall close on December 31,
 9 1980.

10 * Sec. 3. The Alaska Commercial Fisheries Entry Commission shall process
 11 applications received under sec. 2. of this Act in accordance with regula-
 12 tions applicable to the fishery into which entry is sought except as other-
 13 wise provided in sec. 2 of this Act. The Alaska Commercial Fisheries Entry
 14 Commission shall issue permits to persons applying under this Act who demon-
 15 strate hardship equal to that shown by persons previously issued permits.
 16 The Alaska Commercial Fisheries Entry Commission may issue permits in excess
 17 of the maximum number of permits established for a fishery under AS 16.43.-
 18 230 - 16.43.240 for the purposes of this section. This section does not
 19 authorize the Alaska Commercial Fisheries Entry Commission to revoke a permit
 20 previously issued.

21 * Sec. 4. This Act takes effect immediately in accordance with AS 01.10.-
 22 070(c).

To: House Resources Committee
re: HB 665
April 24, 1980
from: David B. Snyder, Alaska Legal Services, Dillingham
Fred Torrisi, Dillingham

a. The persons affected.

In 1975, the Commercial Fisheries Entry Commission began the implementation of a unique program of limiting entry into Alaska's fisheries. That year, 19 salmon fisheries were limited. Applications were accepted through May 18, 1975. Except for persons proving postal error or Commission misadvice, no-one who failed to apply for an entry permit by the deadline has been able to fish in any of these fisheries as a gear license holder since then.

A separate application period was established for the Arctic-Yukon-Kuskokwim areas in 1976. In this area also, a number of persons eligible for permits under the Limited Entry law failed to apply and lost forever their right to harvest salmon as a gear license holder.

It is our sincere belief that most of the persons who met the hardship standard for entry permits established by AS 16.43.250 but who failed to apply, were Alaska residents. The Commission, faced with the task of reaching thousands of widely scattered fishermen, mailed cards to those persons whose eligibility could be programmed on its computer, and issued press releases which were widely disseminated in newspapers and radio. But no radio station was in operation in Bristol Bay until after May 18, 1975, and no newspaper of general circulation exists even now.

In retrospect, it is apparent that a much longer application period should have been held. When the Alaska Native Claims Settlement Act was passed, 2 years was given to enroll everyone and Congress later passed a late application law to catch those who were missed. The Commission could have held the application period open for a long time while simply requiring that permits be obtained prior to actually fishing. Instead, understandably anxious to begin the final classification of applicants so that the issuance level of the point system could be determined, a shorter period was used (less than six months) and people missed the cut-off date.

The 1975 application period was fraught with problems. Former Commissioner Jay Stovall, in a letter dated February 5, 1980, recalls that he told an eligible set net fisherman in Bristol Bay that he had virtually no chance for a permit because he didn't have enough points. In fact, so few eligible persons applied in that fishery that everyone received a permit. Others recall hearing that 20 points were required for a permit; in fact, 20 points guaranteed a permit. This was the first year of a novel program and many mistakes were made.

The ADF&G forecast for the Bay in 1975 was very bad. Those electing not to fish often didn't realize that they needed to apply in order to fish in future years. After generations of applying for licenses annually, it took some families some time to realize what the concept of limited entry was all about.

The Commission did outreach to contact people, but it took hours just to complete one application even after one was familiar with the 40 page instruction booklet. The literacy rate in western Alaska is among the worst in the country,

and a large percentage of people either don't understand English at all, or speak it as a second language.

Older persons were especially likely to miss the deadline, because they didn't understand the fact that their daughters and sons would not necessarily be able to obtain permits on their own. Of the more than 200 late applicants represented by Alaska Legal Services, many are older Alaska Natives who do not read (or often speak) English.

Other persons failed to apply because they didn't get any notice at all. Some were away at school, others in the military. Still others filled out the cards requesting applications and thought that the card itself was the application. But whatever the reason, it is apparent that the less sophisticated, the poor and the uneducated were the ones most often losing the permits.

b. HB 665

The bill before the Committee does not change the point system or make anyone eligible for permits who was previously ineligible. It does not "open things up." What it does is allow the Commission to exceed the "maximum numbers" to accept late-filed applications, until December 31, 1980.

The "maximum numbers" represent the amount of gear in the water during the highest year between 1969 and 1972. For example, in the Bristol Bay drift fishery the maximum number was 1669 (although there are about 1700 permits issued for that fishery for various reasons including the Isakson Supreme Court decision). The optimum number of units of gear (AS 16.43.290) has not been determined for any fishery, nor has the buy-back authorized by AS 16.43.310 been implemented. It is possible that the optimum number may exceed the "maximum" number in some fisheries; the United Fishermen of Alaska are supporting a bill (HB 1015) to issue new permits in those fisheries which have "recovered" since 1975.

If the improved management techniques and the 200 mile limit do not result in Alaska's fisheries being able to support more gear (a question perhaps as much related to marketing as biology), then the buy-back is the remedy--not denying permits to those who depend on fishing for their livelihood.

c. Testimony prior to 4/24/80.

Approximately 50 persons testified at the teleconference hearing held March 3, 1980, and no-one testified against the bill. Persons failing to apply explained what happened to them and the consequences during the last five years. Clearly this is a bill which will benefit these Alaskans far more than will the tax repeal or distribution of oil wealth; this bill will return to them their chosen occupation.

The letters and telegrams since that date have been somewhat divided on the bill, but in numbers they overwhelmingly support it due to the presence of numerous resolutions and petitions. Village councils of several western Alaska villages have passed resolutions supporting the bill, and the City of Togiak filed a petition signed by about a hundred residents. The Aleutian-Pribilof Island Association, Inc., the Kodiak Area Native Association, the lower Yukon-Kuskokwim Aquaculture Association, the Rural Alaska Resources Association

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and the Bristol Bay Native Association all passed resolutions supporting the bill, and the Citizens' Participation Conference held in Juneau endorsed it as well. It is significant that organizations and municipalities of the region primarily impacted by the bill support it (in this writer's examination of the letters written against the bill, only two were found from residents of western Alaska).

d. The number of permits likely to be issued.

Anyone fishing as a gear license holder between 1960 and 1972 is eligible to apply for a permit. The point system is then used to determine if one will qualify for a permit. Because applications have not been processed for those not applying before the deadline, it is impossible to predict exactly how many new permits will be issued.

It is, however, possible to perceive certain factors and draw inferences with respect to the number of permits likely to result. Because the Commission has attempted to do this in its memorandum of 2/25/80 for the Bristol Bay drift gillnet fishery, some discussion of this fishery may be instructive.

According to computer records some 813 eligible applicants failed to timely apply for permits for this fishery. As noted earlier, many of these persons had the belief that 20 points were required for permits and elected not to apply. It is our opinion that the magnitude of the problem is illustrated by the fact that so many eligible persons failed to apply--but it does not follow that several hundred permits will be issued in this fishery if HB 665 becomes law.

The Commission memo states that its computer has information verifying only 9 eligible applicants at 17 points or more (the issuance level in this fishery), but goes on to postulate 551 will end up proving 17 points. This of course assumes that everyone applies in a second application period, an assumption clearly invalid, although it is again impossible to state exactly how many would in fact apply.

But more importantly, the Commission's second assumption is also erroneous. Although only 37 persons have more than 11 points (according to computer info), and 634 have less than 6 points, the Commission assumes 551 will obtain permits by projecting actual point totals by analogy to the class of persons who in fact applied in 1975. That correlation, while placing an upper limit on permit awards is clearly inapplicable directly to non-filers because many non-filers in fact made conscious decisions not to apply because they did not have very many points.

It is not a contradiction to say a) the application period failed because a lot of people failed to apply, and b) most of those people won't qualify for permits. In the ideal system, all eligible persons will apply and those who qualify will receive permits. But if two fishermen receive applications with -0- preprinted points and one has fished all his life and the other fished only one year, the former is far more likely to apply--leaving the latter on the computer run of eligible persons who failed to apply. For those who did not comprehend the nature of limited entry or received no actual notice--the persons this bill seeks to help--the correlation is true; but for that large group of more informed persons who knew they had little chance of qualifying for permits, it is not.

In three fisheries, so few applications were received that permits were issued at -0- points. We suggest that section 3 of the proposed bill be amended by adding, at the end of the second sentence, the words "except that no permit shall be issued to persons who would suffer only minor hardship from exclusion under AS 16.43.250(c)." This would require, for example, that permits only be issued in the Bristol Bay set net fishery to those proving more than 6 points. Those suffering hardship were supposed to receive permits; those suffering only minor hardship can properly be excluded in those fisheries for which the maximum number has been reached.

e. Administrative burden on the Commission.

The Commission is administering a program of tremendous importance to Alaskans, and it should be funded in an amount sufficient to enable it to do its job. The amount of outreach assistance spent in Bristol Bay in 1975 was less than the present value of one drift gillnet permit there.

The fiscal note submitted with this bill includes a substantial amount to clear up the Commission's backlog of cases; if it is funded in the amount requested, it should be made clear that applicants under the new application period should receive permits to which they are entitled expeditiously.

f. Conclusion.

It is true that some persons will receive permits under this bill who consciously elected not to apply for them in the original application period. It is also true that in some years, in some fisheries, there will be an increased amount of gear in the water when there should be less. But neither of these reasons is sufficient to refuse to award permits to the persons who testified at the teleconference and who inhabit virtually every village of southwestern Alaska. The "maximum numbers" are a completely arbitrary set of gear limitations which were selected as a starting point to limit entry; the Commission has yet to determine optimum numbers. While everyone excluded by limited entry may cry for a change, one group stands out as equitably entitled to their permits as the intended beneficiaries of the original act: those who would suffer hardship by exclusion from the fishery for which they were eligible. HB 665 would rectify this inequity. If the State's marketing efforts fail, or if the determination is made in a given fishery that the resource cannot support the number of units of gear in the water, then the buy-back provisions of the statute should be implemented. Neither of these conclusions is evident at this point, and it is unfair to penalize qualified fishermen by forever excluding them from the fishery.

MEMORANDUM

TO: Representative Nels A. Anderson, Jr.
FROM: David Snyder
RE: HB 665 - Limited Entry Late Applicants
DATE: March 6, 1980

I. The numbers of Eligible Applicants

The Commercial Fisheries Entry Commission has determined that there are a total of 3,904 individuals who, based upon their participation as gear license holders in the years 1969 - 1974, were eligible but failed to apply for limited entry permits in the original 19 salmon fisheries which came under limited entry in 1975. These persons would obviously not all apply under a new application period and would obviously not all qualify by demonstrating the requisite number of points in their respective fisheries.

Of this total, 934 persons were eligible to apply under the "Isakson" period (established following the Supreme Court's decision in the Isakson case). These were individuals who were gear license holders for the first time in 1973 or 1974 and who consequently have little chance of qualifying for permits except in three lowpoint fisheries. This is due to the fact that points were only awarded for a person's pre-1973 participation or investment in the fishery. Therefore, less than 3,000 persons would have realistic chances at obtaining permits in most fisheries.

Further, a very high number of these eligible persons (1182) are found in the two Bristol Bay fisheries. When those two fisheries are excluded, it becomes apparent that the number of potentially eligible applicants in the remaining 17 fisheries is very low (2970 - 1182 = 1798). Of course the number qualifying will be much lower due to an inability to prove the requisite points.

The reasons for the very high percentage of persons not applying in Bristol Bay can be attributed in large measure to language and cultural barriers prevalent in Bristol Bay which resulted in people not understanding the need to apply to continue to exercise their right to fish. There will obviously be a number of outside residents who will qualify for permits in Bristol Bay, but I think the chart at pages 8 or 9 of the Commission's memo to you graphically demonstrates the preponderance of residents in the automatic issuance pool should there be another application period. These overwhelming percentages hold true both in Bristol Bay and in the other fisheries statewide.

I believe further that higher percentages of residents are found at other higher point levels where an applicant has a realistic chance at proving sufficient points to be awarded a permit. This is due again in large measure to the greater sophistication and English speaking ability among Seattle and other outside fishermen who were most likely to have applied for a permit if they had a chance. Bristol Bay residents did not have sufficient knowledge to make this decision.

For these same reasons, the Commission's estimate for new entrants in the Bristol Bay drift fishery is inflated. That estimate is predicated upon the premises that the same percentage of persons qualifying during the original application period would also qualify under a new one and that all late applicants would apply. In addition, the total number of eligible late applicants used in the Commission's formula on page 11 should be 813 (derived from the table on page 9) rather than 846. This would further reduce the Commission's estimate of the number of persons actually able to qualify for a permit.

II. The Commission's Proposed Amendments

The Commission has suggested several possible amendments for consideration by the legislature. Most of the proposals suffer from the same defect. They establish classifications which would offend the equal protection clauses of the Alaska and United States Constitutions.

Notwithstanding that problem, some of the proposals are the result of an unrealized perception that too many new permits will be issued under a new application period. For the reasons outlined above, it appears that the only fisheries which potentially could experience a substantial increase are those in Bristol Bay; and the Commission's estimates there are most probably at least twice as high as would actually result. If the Commission decides in the future that the permit level of any particular fishery exceeds the "optimum number" of permits (figures which have not yet been set by the Commission) then the Commission could decide to implement the buy-back provision already authorized by the legislature.

The Commission proposes the following ideas:

a) Issuing permits to those who can demonstrate significant hardship (20 points). This provision would most assuredly be attacked in the Courts as a denial of equal protection under the law. It would establish two classes of persons; those who applied under the original application period and those who did not. Persons having the same fishing history and displaying the same degree of hardship if denied a permit (i.e. the same point total) would be denied a permit. For example in the Bristol Bay drift fishery, original applicants needed 17 points whereas new applicants would need 20 points.

a) continued

In order to be upheld, a legislative classification must be rational, or as the Supreme Court of Alaska has stated, must be fairly and substantially related to permissible governmental objective. It would be impermissible to treat similarly situated applicants differently, solely for the reason that they did not understand or know of the need to apply for a permit.

b) Non-transferable permits. This provision suffers from the same defect as the first proposal. It also is unnecessary as it does not address the question of issuance over the optimum number (if the Commission does set the optimum numbers and if permits have been issued over that number). Assuming that does become a problem, non-transferability will not solve it because natural attrition through death or retirement will take a long time to reduce the number of permits being fished. A buy back program would be the only way to quickly address this potential issue.

c) Making estates ineligible to apply. This would likewise raise grave equal protection questions.

d) Multiple permits to individuals. The same equal protection problems would obtain in treating new applicants differently.

e) Use of permits only during "good" years. This proposal calls for an evaluation of the "average" fish conditions (presumably projected returns, necessary escapement totals and the allowable catch figures) and an evaluation of the projected totals in each category for each separate fishery. This proposal would unreasonably increase management burdens.

f) Considering new applications only after the original application process was completed. This system would unreasonably delay the right of persons who are otherwise qualified to receive permits, from engaging in fishing. It has been almost 5 years since the original application period ended and it is probable that several more years will pass before all applications are finally decided.

g) Non-severability clause. This proposal is unnecessary as the bill is presently written. However, if the above provisions were adopted, non-severability would mean that the entire bill would be overturned.

h) Denying interim use permits until point verification was completed. This proposal seems to be directed towards easing the administrative burdens attendant upon a new application period. Rather than further delay the issuance of permits to eligible and deserving individuals, the legislature should insure that the Commission has adequate funding to process the applications expeditiously.