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FISCAL NOTE

STATE OF ALASKA
1992 LEGISLATIVE SESSION

BILL NO. HB 560

Revision Date: _____

Department Affected: Commerce & Econ. Dev.

Title: Transfer of entry permit on execution

BRU: Investments

Component: _____

Sponsor: House Rules by Request of Governor

Requestor: Resources

COMPONENT SERIAL NO.

0	3	8	4
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EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 93	FY 94	FY 95	FY 96	FY 97	FY 98
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0	0	0	0	0	0
CAPITAL	0	0	0	0	0	0
REVENUE FUND RESOURCE:	0	0	0	0	0	0

FUNDING: (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER						
FUND SOURCE:						
TOTAL	0	0	0	0	0	0

POSITIONS:

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

Estimate of current year impact: 0

ANALYSIS (Attach a separate page if necessary.)

Prepared By: Martin J. Richard, Director Phone: 465-2510

Division: Investments Date: 3/27/92

Approved by Commissioner: Glenn A. Olds

Agency: Department of Commerce & Economic Development Date: 3/24/92

Distribution (by preparer): Leg. Fin., Legislative Sponsor, Requestor, OMB/DBR, Gov. Legis. Ofc., and Impacted Agency(ies).

HB 560: "Transfer of entry permit on execution."

Since enactment of AS 16.43.150(g), which protected limited entry permits from execution by creditors, the courts have nonetheless ruled in two cases that a permit holder's interest in a permit may be executed upon to satisfy a third party claim. Under Alaska law, only the Commercial Fisheries Entry Commission (CFEC) is authorized to transfer title to a permit. Currently, the CFEC's statutes do not provide for transfers in the case of execution by creditors. This bill is intended to address this deficiency.

Subsections 2 and 3 of the bill addresses the situation where a permit is collateral for a loan through the Department of Commerce and Economic Development or the Commercial Fishing and Agriculture Bank (CFAB). CFEC currently denies requests for the transfer of entry permits under this situation and this legislation incorporates the same requirement with respect to requests for the transfer of entry permits made in connection with a valid execution.

The department supports this legislation but recommends the following amendments:

Amend Section 1 of the bill as follows:

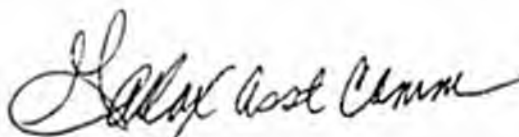
AS 16.43.150(g) should include a reference to AS 16.10.338. This section allows the department to use a limited entry permit as collateral for loans made under AS 16.10.310(a). AS 16.10.333 only relates to limited entry permits that were purchased with loan proceeds.

Amend Section 2 of the bill as follows:

AS 16.43.170(b) should also include a reference to AS 16.10.338 for the same reasons as explained above.

Amend Section 3 of the bill as follows:

AS 16.43.170(g)(4) should also include a reference to AS 16.10.338 for the same reasons as explained above.



Glenn A. Olds, Commissioner

Date: 3.24.92

FISCAL NOTE

No. 4
 Bill Version: HB 560
 (H) Publish Date: 3-16-92

STATE OF ALASKA
 1992 LEGISLATIVE SESSION

Revision Date: _____
 Title: Regulate transfer of limited entry permits due to execution
 Sponsor: Governor
 Requestor: _____

Department Affected: Revenue
 BRU: Revenue Operations
 Component: _____

Component Serial No.

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Expenditures/Revenues: (Thousands of Dollars)

OPERATING	FY 93	FY 94	FY 95	FY 96	FY 97	FY 98
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0	0	0	0	0	0

CAPITAL						
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REVENUE FUND SOURCE						
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FUNDING: (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER FUND SOURCE						
TOTAL	0	0	0	0	0	0

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

Estimate of current year impact: _____

ANALYSIS: The Department of Revenue is unaffected by this legislation.

Prepared by: Rod Mourant *Rod Mourant* Phone: 465-2300
 Division: Commissioner's Office Date: March 12, 1992
 Approved by Commissioner: Darrel J. Rexwinkel *Darrel J. Rexwinkel*
 Agency: Revenue

Distribution (by preparer): Legislative Finance, Legislative Sponsor, Requestor, OMB, & Impacted Agency(ies).

FISCAL NOTE

No. 3

STATE OF ALASKA
1992 LEGISLATIVE SESSION

Bill Version: HB 560

(H) Publish Date: 3-16-92

Revision Date: _____

Department Affected: Fish and Game

Title: Regulate the transfer of limited entry fishing permits

BRU: Commercial Fisheries Entry Commission

Component: Limited Entry Program Administration

Sponsor: Rules Committee

Requestor: Governor

COMPONENT SERIAL NO.

4	7	1
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EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 93	FY 94	FY 95	FY 96	FY 97	FY 98
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL						
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REVENUE						
FUND SOURCE:						

FUNDING: (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER FUND SOURCE:						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

Estimate of current year impact: _____

ANALYSIS: (Attach a separate page if necessary.)

Prepared By: Roger Kolden

Phone: 789-6160

Division: Commercial Fisheries Entry Commission

Date: 03/11/92

Approved by Commissioner: _____

Agency: CFEC

Date: 3/11/92

Distribution (by preparer): Leg. Fin., Legislative Sponsor, Requestor, OMB/OBR, Gov. Legis. Ofc., & Impacted Agency(ies).

FISCAL NOTE

STATE OF ALASKA
1992 LEGISLATIVE SESSION

Revision Date: 3/12/92

Department Affected: Fish and Game

Title: Transfer of limited entry permits

BRU: Commercial Fisheries

Component: Commercial Fisheries

Sponsor: Rules Committee by Governor

Requestor:
Expenditures/Revenues: (Thousands of Dollars)

COMPONENT SERIAL NO.

4	5	9
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OPERATING	FY 93	FY 94	FY 95	FY 96	FY 97	FY 98
PERSONAL SERVICES	0	0	0	0	0	0
TRAVEL	0	0	0	0	0	0
CONTRACTUAL	0	0	0	0	0	0
SUPPLIES	0	0	0	0	0	0
EQUIPMENT	0	0	0	0	0	0
LAND & STRUCTURES	0	0	0	0	0	0
GRANTS, CLAIMS	0	0	0	0	0	0
MISCELLANEOUS	0	0	0	0	0	0
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL	0	0	0	0	0	0
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REVENUE FUND SOURCE:	0	0	0	0	0	0
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FUNDING: (Thousands of Dollars)

GENERAL FUND	0	0	0	0	0	0
FEDERAL FUNDS	0	0	0	0	0	0
OTHER FUND SOURCE:	0	0	0	0	0	0
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

POSITIONS:

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

Estimate of current year impact: None

ANALYSIS: (Attach a separate page if necessary.)

Prepared By: Geron Bruce G.B.

Phone: 465-4100

Division: Commissioner's Office

Date: 3/12/92

Approved by Commissioner: [Signature]

Agency: Department of Fish and Game

Date: 3/13/92

FISCAL NOTE

No. 1
Version: HB 560
(H) Publish Date: 3-16-92

STATE OF ALASKA
1992 LEGISLATIVE SESSION

Revision Date: _____
Title: Draft bill establishing procedures to
govern transfers of entry permits
Sponsor: _____
Requestor: _____

Department Affected: Commerce & Econ. Dev.
BRU: Investments
Component: _____

COMPONENT SERIAL NO.

0	3	8	4
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EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 93	FY 94	FY 95	FY 96	FY 97	FY 98
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0	0	0	0	0	0
CAPITAL	0	0	0	0	0	0
REVENUE FUND RESOURCE:	0	0	0	0	0	0

FUNDING: (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER FUND SOURCE:						
TOTAL	0	0	0	0	0	0

POSITIONS:

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

Estimate of current year impact: 0

ANALYSIS (Attach a separate page if necessary.)

Prepared By: Marti J. Richard, Director Phone: 465-2510
Division: Investments Date: 3/13/92
Approved by Commissioner: Glenn A. Olds
Agency: Department of Commerce & Economic Development Date: 3-18-92

Distribution (by preparer): Leg. Fin., Legislative Sponsor, Requestor, OMB/DBR, Gov. Legis. Ofc., and Impacted Agency(ies).