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Alaska State Legislature

HOUSE RESOURCES COMMITTEE

P.O. Box V
State Capitol
Juneau, Alaska 99811
(907) 465-3715

HOUSE RESOURCES COMMITTEE
LETTER OF INTENT
FOR
HOUSE CS FOR CSSB423(RES)

It is the intent of the Legislature that the Commercial Fisheries Entry Commission will monitor the temporary transfer of limited entry permits allowed under the provisions of this bill and annually will report back to the Legislature by January 15. The report should include an analysis of how the temporary transfer provision has been working, and any effects it has had on the availability and distribution of permits and levels of participation in limited fisheries.

Cliff Davidson

Representative Cliff Davidson
Chairman, House Resources Committee
May 11, 1992

LETTER OF INTENT FOR CSSB 423 (FSH)

By the Senate Special Committee on Domestic and
International Commercial Fisheries

It is the intent of the Legislature that the Commercial Fisheries Entry Commission will monitor the temporary transfer of limited entry permits allowed under the provisions of this bill and will report back to the Legislature by January 15, 1997. The report should include an analysis of how the temporary transfer provision has been working, and any effects it has had on the availability and distribution of permits and levels of participation in limited fisheries.

ADOPTED by the Senate 4/29/92

FISCAL NOTE

No. 1

Bill Version: SB 423

(S) Publish Date: 4-15-92

STATE OF ALASKA
1992 LEGISLATIVE SESSION

Revision Date: _____ Department Affected: Fish and Game
 Title: Temporary transfer of commercial fisheries BRU: Commercial Fisheries (Limited) Entry Commission
entry permits Component: Limited Entry Program Administration
 Sponsor: Senator Zharoff
 Requestor: Senator Zharoff 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	0.0	0.0	0.0
CAPITAL						

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.)

Changes in CSSB 423 (RES) have no fiscal impact. This fiscal note is appropriate.

4/14/92 TCO
date Comte Aide (initial)

Prepared By: Roger Kolden Phone: 789-6160
 Agency: Commercial Fisheries (Limited) Entry Commission Date: 4/6/92

Approved by Commissioner: [Signature]
 Agency: Commercial Fisheries (Limited) Entry Commission Date: 4/6/92

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



SENATOR FRED F. ZHAROFF

ALASKA STATE LEGISLATURE

P. O. BOX 405, KODIAK, ALASKA 99615 (907) 486-5259

DURING SESSION:

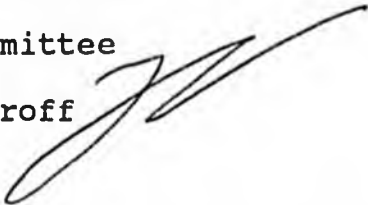
P. O. BOX V, JUNEAU, ALASKA 99811 • (907) 465-3473 • 465-3474

DISTRICT N

ALASKA PENINSULA • ALEUTIAN CHAIN • BRISTOL BAY • KODIAK ISLAND • LAKE CLARK/LAKE ILIAMNA • PRIBILOF ISLANDS • SHUMAGIN ISLANDS

MEMORANDUM

TO: Representative Cliff Davidson
Chairman
House Resources Committee

FROM: Senator Fred F. Zharoff 

DATE: May 5, 1992

RE: CS For Senate Bill No. 423 (FSH) - "An Act relating to the year-to-year transfer of a limited entry permit of a permit holder who is at least 65 years old and unable to participate in the fishery due to illness or disability; and providing for an effective date."

I respectfully request that CSSB 423 be scheduled for a hearing before the House Resources Committee at the earliest possible opportunity.

CSSB 423 has drawn considerable support from commercial fishermen in the Bristol Bay region. The bill previously passed the Senate 18-0.

Thank you for your consideration of my request.



SENATOR FRED F. ZHAROFF

ALASKA STATE LEGISLATURE

P. O. BOX 405, KODIAK, ALASKA 99615 (907) 486-5259

DURING SESSION:

P. O. BOX V, JUNEAU, ALASKA 99811 • (907) 465-3473 • 465-3474

DISTRICT N

ALASKA PENINSULA • ALEUTIAN CHAIN • BRISTOL BAY • KODIAK ISLAND • LAKE CLARK/LAKE ILIAMNA • PRIBILOF ISLANDS • SHUMAGIN ISLANDS

MEMORANDUM

TO: Representative Cliff Davidson
Chairman
House Resources Committee

FROM: Senator Fred F. Zharoff

DATE: May 5, 1992

RE: CS For Senate Bill No. 423 (FSH) - "An Act relating to the year-to-year transfer of a limited entry permit of a permit holder who is at least 65 years old and unable to participate in the fishery due to illness or disability; and providing for an effective date."

BILL SUMMARY: CSSB 423 amends the emergency transfers section of the limited entry statutes. It requires the Commercial Fisheries Entry Commission to adopt regulations that provide for the temporary emergency transfer of limited entry permits held by individuals age 65 or older who, because of illness and disability, are unable to continue to participate in the fisheries.

The amendment allows the commission to renew the transfer annually for multiple years. It limits the privilege to long time commercial fishermen who have held permits for at least 10 years immediately preceding their request to transfer.

The CS adopted by the Senate Special Committee on Domestic and International Commercial Fisheries restricted the bill's applicability. The CS made the title more specific, made the Findings more specific, specified "illness or disability" as the only reason a transfer under this subsection would be granted, specified that the subsection did not apply to nontransferable salmon handtroll permits [AS 16.43.170(c) or (e)], and added a five-and-one-half year sunset clause.

In addition, the Senate adopted a letter of intent requiring the commission to report back to the legislature by a time certain on the impact of this legislation.

PREVIOUS ACTION: Moved out of the Senate Resources Committee on April 14 (4 DP, 1 NR). Moved out of the Senate Special Committee on Domestic and International Fisheries April 27 (1 DP, 3 NR). Passed the State Senate 18-0 on April 29.

FISCAL IMPACT: Zero fiscal note submitted by the Commercial Fisheries Entry Commission.

BACKGROUND INFORMATION: Under current law, older commercial fishermen have few options open to them when they reach the age where, for medical reasons (illness or disability), they are unable to continue to participate in physically demanding commercial fisheries. At that time, they must either sell or transfer their permits, forever giving up their privilege to own and operate commercial fishing operations.

CSSB 423 would allow ill or disabled commercial fishermen 65 years of age or older to temporarily transfer their permits to another individual or a younger family member, continue to earn income, and plan for an orderly transition into retirement.

The limited entry statutes currently contain a provision for one year emergency transfers. Using its discretionary powers through regulations, the commission has been able to accommodate a number of older fishermen who need to transfer their permits for more than one year. CSSB 423 would place this authority in statute and clearly state the commission's powers.

The bill contains protections against the possibility that the new provision would open the door to widespread leasing.

-- A person must be 65 years of age to qualify. The age of 65 was chosen because it is the standard age for retirement, and also the age in Alaska when people qualify for the longevity bonus and other senior programs.

-- The applicants must have held a permit in the fishery for at least 10 years. This will discourage speculators by limiting the beneficiaries to bonafide commercial fishermen who have invested considerable time and money in the profession. The Findings include the rationale for this provision.

-- The applicants must be suffering from an illness or disability. Just being over 65 is not an automatic qualification.

-- It excludes nontransferable handroll permits, which make up the largest category of unused entry permits.

-- It has a Dec. 31, 1997 sunset clause. Because of the concerns expressed, the Senate decided to allow the program to exist on a temporary basis in order to evaluate its impact.

BRISTOL BAY NATIVE ASSOCIATION

RECEIVED MAY 7 1992

P.O. BOX 310
DILLINGHAM, ALASKA 99576
PHONE (907) 842-5257

May 4, 1992

Representative Cliff Davidson, Chairman
House Resources Committee
Alaska State Legislature
P.O. Box V
Juneau, Alaska 99801

Re: CSSB423 "Relating to the transfer of a limited entry permit of a permit holder who is at least 65 years old and unable to participate in the fishery..."

Dear Representative Davidson;

I am writing to urge you to hear CSSB423 at the earliest possible date. The bill passed the Senate 18 - 0 and indications are that, as good policy, there is a good chance it will pass the House too.

You are aware of the importance of this bill to the orderly transfer of limited entry permits to a younger generation. It clearly would be a much welcomed benefit to our elderly permit holders, whose numbers increase greatly with each passing year.

Here in Bristol Bay we hope that besides benefiting our elderly permit holders this bill will help stem the outflow of permits from the region and benefit our younger fishermen as well.

Please calendar this bill in House Resources as early as you can.

Sincerely,



Terry Hoefflerle
Executive Director

TH/mc

cc: Senator Fred Zharoff
Rep. George Jacko

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Ugashik, Alaska 99613

April 8, 1992

Senator Fred Zharoff
P.O. Box V, Juneau, Alaska 99011

Dear Senator Zharoff:

Re: Amendment to Limited Entry Law 16.43-180

Add a new subsection c.

"The Commission shall adopt regulations providing for the temporary transfer from year to year of an entry permit if the permit holder is at least 65 years of age, has participated in the fishery for which the permit is issued for at least 10 years and is unable to participate in the fishery for medical reasons."

We support this bill for the following reasons:

1. No provision was made in the original Limited Entry Law or subsequent regulations for multiple year transfers for senior fishermen with continuing medical problems.
2. As of 1989, according to a Limited Entry Commission report requested by Senator Zharoff, 3222 fishermen in the state were between 60 and 70 years of age, while an additional 1364 were over 69 years of age.
3. This amendment is not a new concept because in two other circumstances multiple year transfers are permitted by the Commission.
 - a. An estate may emergency transfer a permit year after year until the estate is settled.
 - b. A permit inherited by a minor may be transferred year after year until the minor reaches the age of presumptive ability to participate.
4. This amendment would provide a fisherman 65 years of age or older an option to continue to participate in the fishery but in a less strenuous manner, thereby imparting the knowledge gained thru many years of experience to a younger fisherman..

Respectfully submitted,

Roger and Randy Briggs

Roger and Randy Briggs

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**Number of Permits Issued and Number of Permits Fished
By Year and Age
For the Limited Entry Fisheries**

**Prepared by:
Susan M. Shirley**

CPFC Report 92-08

April 10, 1992

**Commercial Fisheries Entry Commission
8800 Glacier Highway #109
Juneau, Alaska 99801
Telephone: (907) 789-6160 FAX: 789-6170**

COMMERCIAL FISHERIES EXTERIOR COMMISSION
 8800 GLACIER HIGHWAY #109, JUNEAU, ALASKA, 99801

April 10, 1992

Permits Issued and Fished, in 1991, by Age

Fishery	Age	Total Permits Issued	Total Permits Fished	Percent Permits Fished	Permits Not Fished	Percent Permits Not Fished
801A SOUTHEAST SALMON SKINE	Under 50	281	262	93.24%	19	6.76%
	50 - 59	66	60	90.91%	6	9.09%
	60 - 64	33	28	84.85%	5	15.15%
	65 and over	40	33	82.50%	7	17.50%
	Fishery Totals		420	383	91.19%	37
803A SOUTHEAST SALMON DRIFT GILL NET	Under 50	321	314	97.82%	7	2.18%
	50 - 59	94	87	92.55%	7	7.45%
	60 - 64	35	33	94.29%	2	5.71%
	65 and over	35	32	91.43%	3	8.57%
	Fishery Totals		485	466	96.08%	19
815B SOUTHEAST SALMON POWER TROLL	Under 50	550	497	90.36%	53	9.64%
	50 - 59	227	197	86.78%	30	13.22%
	60 - 64	80	71	88.75%	9	11.25%
	65 and over	101	82	81.19%	19	18.81%
	Fishery Totals		958	847	88.41%	111
805B SOUTHEAST SALMON HAND TROLL	Under 50	1,019	439	43.08%	580	56.92%
	50 - 59	382	141	36.91%	241	63.09%
	60 - 64	136	48	35.29%	88	64.71%
	65 and over	209	72	34.45%	137	65.55%
	Fishery Totals		1,746	700	40.09%	1,046

COMMERCIAL FISHERIES ENTRY COMMISSION
 8800 GLACIER HIGHWAY #109, JUNEAU, ALASKA, 99801

April 10, 1992

Permits Issued and Fished, in 1991, by Age

Fishery	Age	Total Permits Issued	Total Permits Fished	Percent Permits Fished	Permits Not Fished	Percent Permits Not Fished
804D YAKUTAT SALMON SXT NET	Under 50	124	121	97.58%	3	2.42%
	50 - 59	23	20	86.96%	3	13.04%
	60 - 64	6	6	100.00%	0	0.00%
	65 and over	15	14	93.33%	1	6.67%
	Fishery Totals		168	161	95.83%	7
G01A SOUTHEAST SAC ROE HERRING SKIME	Under 50	29	10	34.48%	19	65.52%
	50 - 59	9	5	55.56%	4	44.44%
	60 - 64	5	4	80.00%	1	20.00%
	65 and over	8	3	37.50%	5	62.50%
	Fishery Totals		51	22	43.14%	29
G34A SOUTHEAST SAC ROE HERRING GILL NET	Under 50	82	58	70.73%	24	29.27%
	50 - 59	28	20	71.43%	8	28.57%
	60 - 64	5	2	40.00%	3	60.00%
	65 and over	6	4	66.67%	2	33.33%
	Fishery Totals		121	84	69.42%	37
C61A NORTHERN SCE INSIDE SABLEFISH LONGLINE	Under 50	87	86	98.85%	1	1.15%
	50 - 59	16	16	100.00%	0	0.00%
	60 - 64	12	12	100.00%	0	0.00%
	65 and over	12	12	100.00%	0	0.00%
	Fishery Totals		127	126	99.21%	1

COMMERCIAL FISHERIES ENTRY COMMISSION
 8800 GLACIER HIGHWAY #109, JUNEAU, ALASKA, 99801

April 10, 1992

Permits Issued and Fished, in 1991, by Age

Fishery	Age	Total Permits Issued	Total Permits Fished	Percent Permits Fished	Permits Not Fished	Percent Permits Not Fished
C61C SOUTHERN SE INSIDE SABLEFISH LONGLINE	Under 50	17	15	88.24%	2	11.76%
	50 - 59	6	6	100.00%	0	0.00%
	60 - 64	3	3	100.00%	0	0.00%
	65 and over	5	5	100.00%	0	0.00%
	Fishery Totals		31	29	93.55%	2
C91C SOUTHERN SE INSIDE SABLEFISH POTS	Under 50	1	1	100.00%	0	0.00%
	50 - 59	1	0	0.00%	1	100.00%
	Fishery Totals	2	1	50.00%	1	50.00%
K19A SOUTHEAST RED/BLUE KING CRAB POTS	Under 50	2	2	100.00%	0	0.00%
	Fishery Totals	2	2	100.00%	0	0.00%
K29A SOUTHEAST RED/BLUE/BROWN KING CRAB POTS	Under 50	3	3	100.00%	0	0.00%
	Fishery Totals	3	3	100.00%	0	0.00%
K39A SOUTHEAST BROWN KING CRAB POTS	Under 50	1	1	100.00%	0	0.00%
	50 - 59	2	2	100.00%	0	0.00%
	Fishery Totals	3	3	100.00%	0	0.00%

COMMERCIAL FISHERIES ENTRY COMMISSION
 8800 GLACIER HIGHWAY #109, JUNEAU, ALASKA, 99801

April 10, 1992

Permits Issued and Fished, in 1991, by Age

Fishery	Age	Total Permits Issued	Total Permits Fished	Percent Permits Fished	Permits Not Fished	Percent Permits Not Fished
K49A SOUTHEAST ROK/BLUE KING + TANNER POTS	Under 50	11	10	90.91%	1	9.09%
	50 - 59	4	3	75.00%	1	25.00%
	60 - 64	2	2	100.00%	0	0.00%
	65 and over	3	2	66.67%	1	33.33%
	Fishery Totals		20	17	85.00%	3
K59A SOUTHEAST BROWN KING + TANNER POTS	Under 50	6	5	83.33%	1	16.67%
	65 and over	2	1	50.00%	1	50.00%
	Fishery Totals	8	6	75.00%	2	25.00%
K69A SOUTHEAST KING (ALL) + TANNER POTS	Under 50	29	28	96.55%	1	3.45%
	50 - 59	2	2	100.00%	0	0.00%
	60 - 64	4	4	100.00%	0	0.00%
	65 and over	6	5	83.33%	1	16.67%
	Fishery Totals	41	39	95.12%	2	4.88%
T19A SOUTHEAST TANNER CRAB POTS	Under 50	10	7	70.00%	3	30.00%
	50 - 59	5	4	80.00%	1	20.00%
	Fishery Totals	15	11	73.33%	4	26.67%

COMMERCIAL FISHERIES ENTRY COMMISSION
8800 GLACIER HIGHWAY #109, JUNEAU, ALASKA, 99801

April 10, 1992

Permits Issued and Fished, in 1991, by Age

Fishery	Age	Total Permits Issued	Total Permits Fished	Percent Permits Fished	Permits Not Fished	Percent Permits Not Fished
801E PRINCE WILLIAM SOUND SALMON SEINE	Under 50	205	194	94.63%	11	5.37%
	50 - 59	39	38	97.44%	1	2.56%
	60 - 64	14	12	85.71%	2	14.29%
	65 and over	13	9	69.23%	4	30.77%
	Fishery Totals		271	253	93.36%	18
803E PRINCE WILLIAM SD SALMON DRIFT GILL NET	Under 50	406	393	96.80%	13	3.20%
	50 - 59	92	86	93.48%	6	6.52%
	60 - 64	24	23	95.83%	1	4.17%
	65 and over	19	15	78.95%	4	21.05%
	Fishery Totals		541	517	95.56%	24
804E PRINCE WILLIAM SD SALMON SEINE NET	Under 50	21	20	95.24%	1	4.76%
	50 - 59	5	5	100.00%	0	0.00%
	60 - 64	3	3	100.00%	0	0.00%
	65 and over	1	1	100.00%	0	0.00%
	Fishery Totals		30	29	96.67%	1
801E PRINCE WILLIAM SD SAC ROE HERRING SEINE	Under 50	82	80	97.56%	2	2.44%
	50 - 59	16	15	93.75%	1	6.25%
	60 - 64	5	5	100.00%	0	0.00%
	65 and over	4	4	100.00%	0	0.00%
	Fishery Totals		107	104	97.20%	3

COMMERCIAL FISHERIES ENTRY COMMISSION
 8800 GLACIER HIGHWAY #109, JUNEAU, ALASKA, 99801

April 10, 1992

Permits Issued and Fished, in 1991, by Age

Fishery	Age	Total Permits Issued	Total Permits Fished	Percent Permits Fished	Permits Not Fished	Percent Permits Not Fished
G34E PRINCE WILLIAM SD SAC ROE HERR GILL NET	Under 50	18	18	100.00%	0	0.00%
	50 - 59	4	4	100.00%	0	0.00%
	60 - 64	1	1	100.00%	0	0.00%
	65 and over	1	1	100.00%	0	0.00%
	Fishery Totals	24	24	100.00%	0	0.00%
L21E PRINCE WILLIAM SD HERRING SPAWN POUND	Under 50	112	105	93.75%	7	6.25%
	50 - 59	13	11	84.62%	2	15.38%
	60 - 64	3	3	100.00%	0	0.00%
	Fishery Totals	128	119	92.97%	9	7.03%
S01E COOK INLET SALMON SKINK	Under 50	60	52	86.67%	8	13.33%
	50 - 59	11	8	72.73%	3	27.27%
	60 - 64	6	5	83.33%	1	16.67%
	65 and over	6	3	50.00%	3	50.00%
	Fishery Totals	83	68	81.93%	15	18.07%
S03E COOK INLET SALMON DRIFT GILL NET	Under 50	373	370	99.19%	3	0.81%
	50 - 59	122	121	99.18%	1	0.82%
	60 - 64	45	43	95.56%	2	4.44%
	65 and over	44	44	100.00%	0	0.00%
	Fishery Totals	584	578	98.97%	6	1.03%

COMMERCIAL FISHERIES ENTRY COMMISSION
 8800 GLACIER HIGHWAY #109, JUNEAU, ALASKA, 99801

April 10, 1992

Permits Issued and Fished, in 1991, by Age

Fishery	Age	Total Permits Issued	Total Permits Fished	Percent Permits Fished	Permits Not Fished	Percent Permits Not Fished
804H COOK INLET SALMON SET NET	Under 50	535	463	86.54%	72	13.46%
	50 - 59	101	89	88.12%	12	11.88%
	60 - 64	48	43	89.58%	5	10.42%
	65 and over	61	53	86.88%	8	13.11%
	Fishery Totals		745	648	86.98%	97
801H COOK INLET SAC ROE HERRING SEINE	Under 50	60	46	76.67%	14	23.33%
	50 - 59	7	6	85.71%	1	14.29%
	60 - 64	6	4	66.67%	2	33.33%
	65 and over	3	2	66.67%	1	33.33%
	Fishery Totals	76	58	76.32%	18	23.68%
801K KODIAK SALMON SEINE	Under 50	299	276	92.31%	23	7.69%
	50 - 59	53	44	83.02%	9	16.98%
	60 - 64	21	19	90.48%	2	9.52%
	65 and over	15	9	60.00%	6	40.00%
	Fishery Totals	388	348	89.69%	40	10.31%
802K KODIAK SALMON BEACH SEINE	Under 50	28	15	53.57%	13	46.43%
	50 - 59	4	2	50.00%	2	50.00%
	60 - 64	1	0	0.00%	1	100.00%
	Fishery Totals	33	17	51.52%	16	48.48%

COMMERCIAL FISHERIES ENTRY COMMISSION
 8800 GLACIER HIGHWAY #109, JUNEAU, ALASKA, 99801

April 10, 1992

Permits Issued and Fished, in 1991, by Age

Fishery	Age	Total Permits Issued	Total Permits Fished	Percent Permits Fished	Permits Not Fished	Percent Permits Not Fished
804K KODIAK SALMON SET NET	Under 50	143	142	99.30%	1	0.70%
	50 - 59	26	24	92.31%	2	7.69%
	60 - 64	8	7	87.50%	1	12.50%
	65 and over	12	12	100.00%	0	0.00%
	Fishery Totals		189	185	97.88%	4
601K KODIAK SAC ROE HERRING SKINE	Under 50	59	28	47.46%	31	52.54%
	50 - 59	9	3	33.33%	6	66.67%
	60 - 64	2	1	50.00%	1	50.00%
	Fishery Totals	70	32	45.71%	38	54.29%
634K KODIAK SAC ROE HERRING GILL NET	Under 50	85	55	64.71%	30	35.29%
	50 - 59	12	7	58.33%	5	41.67%
	60 - 64	3	2	66.67%	1	33.33%
	65 and over	2	0	0.00%	2	100.00%
	Fishery Totals	102	64	62.75%	38	37.25%
801L CHIGNIK SALMON SKINE	Under 50	66	66	100.00%	0	0.00%
	50 - 59	19	19	100.00%	0	0.00%
	60 - 64	8	8	100.00%	0	0.00%
	65 and over	8	8	100.00%	0	0.00%
	Fishery Totals	101	101	100.00%	0	0.00%

COMMERCIAL FISHERIES ENTRY COMMISSION
 8800 GLACIER HIGHWAY #109, JUNEAU, ALASKA, 99801

April 10, 1992

Permits Issued and Fished, in 1991, by Age

Fishery	Age	Total Permits Issued	Total Permits Fished	Percent Permits Fished	Permits Not Fished	Percent Permits Not Fished
801M PEM/ALEUTIANS SALMON SEINE	Under 50	77	76	98.70%	1	1.30%
	50 - 59	28	27	96.43%	1	3.57%
	60 - 64	11	10	90.91%	1	9.09%
	65 and over	10	7	70.00%	3	30.00%
	Fishery Totals		126	120	95.24%	6
803M PEM/ALEUTIANS SALMON DRIFT GILL NET	Under 50	135	134	99.26%	1	0.74%
	50 - 59	18	17	94.44%	1	5.56%
	60 - 64	4	4	100.00%	0	0.00%
	65 and over	7	7	100.00%	0	0.00%
	Fishery Totals		164	162	98.78%	2
804M PEM/ALEUTIANS SALMON SEIT NET	Under 50	90	87	96.67%	3	3.33%
	50 - 59	9	8	88.89%	1	11.11%
	60 - 64	5	5	100.00%	0	0.00%
	65 and over	10	10	100.00%	0	0.00%
	Fishery Totals		114	110	96.49%	4
803T BRISTOL BAY SALMON DRIFT GILL NET	Under 50	1,210	1,210	100.00%	0	0.00%
	50 - 59	416	413	99.28%	3	0.72%
	60 - 64	123	123	100.00%	0	0.00%
	65 and over	132	127	96.21%	5	3.79%
	Fishery Totals		1,881	1,873	99.57%	8

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COMMERCIAL FISHERIES ENTRY COMMISSION
8800 GLACIER HIGHWAY #109, JUNEAU, ALASKA, 99801

April 10, 1992

Permits Issued and Fished, in 1991, by Age

Fishery	Age	Total Permits Issued	Total Permits Fished	Percent Permits Fished	Permits Not Fished	Percent Permits Not Fished
804T BRISTOL BAY SALMON SET NET	Under 50	791	743	93.93%	48	6.07%
	50 - 59	129	113	87.60%	16	12.40%
	60 - 64	37	34	91.89%	3	8.11%
	65 and over	68	60	88.24%	8	11.76%
	Fishery Totals		1,025	950	92.68%	75
L12T BRISTOL BAY HERRING SPAWN ON KELP	Under 50	369	200	54.20%	169	45.80%
	50 - 59	55	26	47.27%	29	52.73%
	60 - 64	14	9	64.29%	5	35.71%
	65 and over	10	6	60.00%	4	40.00%
	Fishery Totals		448	241	53.79%	207
804P UPPER YUKON SALMON GILL NET	Under 50	41	19	46.34%	22	53.66%
	50 - 59	10	6	60.00%	4	40.00%
	60 - 64	12	8	66.67%	4	33.33%
	65 and over	9	3	33.33%	6	66.67%
	Fishery Totals		72	36	50.00%	36
808P UPPER YUKON SALMON FISHWHEEL	Under 50	91	60	65.93%	31	34.07%
	50 - 59	28	18	64.29%	10	35.71%
	60 - 64	16	15	93.75%	1	6.25%
	65 and over	20	17	85.00%	3	15.00%
	Fishery Totals		155	110	70.97%	45

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April 10, 1992

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Fishery	Age	Total Permits Issued	Total Permits Fished	Percent Permits Fished	Permits Not Fished	Percent Permits Not Fished
804W KUSKOKWIM SALMON GILL NET	Unknown	1	1	100.00%	0	0.00%
	Under 50	649	630	98.31%	11	1.69%
	50 - 59	121	115	95.04%	6	4.96%
	60 - 64	42	40	95.24%	2	4.76%
	65 and over	20	20	100.00%	0	0.00%
Fishery Totals		833	814	97.72%	19	2.28%
804X KOTEBUE SALMON GILL NET	Under 50	152	90	59.21%	62	40.79%
	50 - 59	40	29	72.50%	11	27.50%
	60 - 64	11	10	90.91%	1	9.09%
	65 and over	16	8	50.00%	8	50.00%
Fishery Totals		219	137	62.56%	82	37.44%
804Y LOWER YUKON SALMON GILL NET	Under 50	550	530	96.36%	20	3.64%
	50 - 59	106	103	97.17%	3	2.83%
	60 - 64	32	31	96.88%	1	3.13%
	65 and over	20	16	80.00%	4	20.00%
Fishery Totals		708	680	96.05%	28	3.95%
804Z MORTON SOUND SALMON GILL NET	Under 50	141	95	67.38%	46	32.62%
	50 - 59	23	11	47.83%	12	52.17%
	60 - 64	12	5	41.67%	7	58.33%
	65 and over	25	14	56.00%	11	44.00%
Fishery Totals		201	125	62.19%	76	37.81%

COMMERCIAL FISHERIES ENTRY COMMISSION
8800 GLACIER HIGHWAY #109, JUNEAU, ALASKA, 99801

April 10, 1992

Permits Issued and Fished, in 1991, by Age

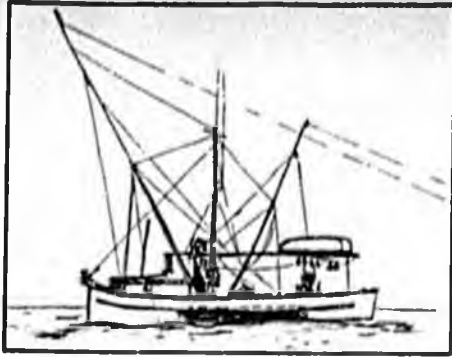
Fishery	Age	Total Permits Issued	Total Permits Fished	Percent Permits Fished	Permits Not Fished	Percent Permits Not Fished
G34M NELSON ISLAND SAC ROE HERRING GILL NET	Under 50	110	0	0.00%	110	100.00%
	50 - 59	29	0	0.00%	29	100.00%
	60 - 64	8	0	0.00%	8	100.00%
	65 and over	2	0	0.00%	2	100.00%
	Fishery Totals		149	0	0.00%	149
G34U NUNIVAK ISLAND SAC ROE HERRING GILL NET	Under 50	34	12	35.29%	22	64.71%
	50 - 59	11	4	36.36%	7	63.64%
	60 - 64	4	1	25.00%	3	75.00%
	65 and over	1	0	0.00%	1	100.00%
	Fishery Totals		50	17	34.00%	33
G34Y LOWER YUKON SAC ROE HERRING GILL NET	Under 50	63	51	80.95%	12	19.05%
	50 - 59	20	14	70.00%	6	30.00%
	60 - 64	5	4	80.00%	1	20.00%
	65 and over	12	11	91.67%	1	8.33%
	Fishery Totals		100	80	80.00%	20
G02K NORTON SOUND SAC ROE HERRING BEACH SKINE	Under 50	9	6	66.67%	3	33.33%
	60 - 64	1	1	100.00%	0	0.00%
	65 and over	1	0	0.00%	1	100.00%
	Fishery Totals		11	7	63.64%	4

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 8800 GLACIER HIGHWAY #109, JUNEAU, ALASKA, 99801

April 10, 1992

Permits Issued and Fished, in 1991, by Age

Fishery	Age	Total Permits Issued	Total Permits Fished	Percent Permits Fished	Permits Not Fished	Percent Permits Not Fished
G34E MORTON SOUND SAC ROE HERRING GILL NET	Under 50	330	218	66.06%	112	33.94%
	50 - 59	46	33	71.74%	13	28.26%
	60 - 64	13	7	53.85%	6	46.15%
	65 and over	12	11	91.67%	1	8.33%
	Fishery Totals		49	269	67.08%	132



Alaska Trollers Association

RECEIVED MAY 7 1992

REPRESENTING ALASKA TROLLERS

130 Seward St., No. 213
Juneau, Alaska 99801
(907) 586-9400

May 5, 1992

Representative Cliff Davidson, Chairman
House Resources Committee
State Capitol
Juneau, AK 99801-1182

Dear Representative Davidson,

The Alaska Trollers Association watches with dismay as SB423 seems to breeze through every obstacle between it and legislative approval. The measure passed the Senate with no opposition, despite an almost uniform show of no support from the Senate Special Committee on Domestic and International Commercial Fisheries.

The criteria laid out in SB423 leaves the practice of temporary permit transfers open to abuse, and it sets a serious precedent. ATA opposes any bill that sets a precedent for permit leasing. Permit leasing has the potential to place increased pressure on Alaska's salmon stocks by encouraging more people to fish permits which have been inactive. Although the limited entry program set a maximum on the number of permits issued in the salmon fisheries, optimum numbers have never been determined, and many fisheries are already troubled with too many participants to maintain viability. The troll fleet is a prime example.

Alaska is currently seeing a high abundance of chinook, but the US/Canada Treaty has our trollers squirming under a restrictive quota. There are less summer chinook than ever to go around, and the troll fleet simply cannot support any additional effort. Yet, this measure could add an additional 63 active boats to the troll fishery. Lower 48 fishermen are in the midst of a complete crisis, which will disrupt troll fisheries from California to the Canadian border this season. The chinook abundance here could make it worthwhile for southern fishermen to lease a permit in Alaska until their fisheries stabilize. This spring the Board of Fisheries allocated chinook salmon between troll and sport fishermen, with trollers receiving an 8% cut from their historic harvest share. A decreased allocation, coupled with increased effort, could be disastrous for our fleet.

ATA empathizes with seniors who have legitimate health problems. A fisherman's lifestyle is physically demanding, and it can take its toll, especially in later years. However, a temporary transfer system could be exploited by healthy seniors. What criteria will be used to determine which illness or disability is appropriate to trigger a lease arrangement?

Finally, this measure is the foothold permit brokers need to wrench open our closed permit system. Left alone, it's plausible many seniors who meet the criteria would choose not to lease their permits. However, we share the concerns of CFEC that permit brokers would launch an aggressive campaign to urge leasing by seniors who may be enticed by the income earning potential of their dormant permits.

We urge you to consider this measure carefully. While this appears to be a bill that gives senior citizens a break, it may in fact represent a new and revolutionary chapter in the way Alaska manages its permit system.

Sincerely,

Dale A. Kelley
Executive Director

TO: Hon. Bill Hudson
House of Representatives
State of Alaska
M/S: 3100

DATE: May 6, 1992

FAX NO: 789-6170

TELEPHONE NO: 789-6160

ATTN: Landa B. Holtan

SUBJECT: CSSB 423

FROM: Commercial Fisheries
Entry Commission *R.F.I.*
Rich Listowski, Commissioner
M/S: 0302

CSSB 423 will allow only permanent permit holders 65 years of age and older the right to lease a permit year-to-year without supervision from the CFEC for reasons of illness or disability. The bill may have the following impacts on the commercial fisheries:

1. Increase in the cost of permits as the supply of permits decreases while the demand for permits rises or remains constant.
2. Increase in the amount of gear being fished as retired elderly permit holders lease their permits to the highest bidder.
3. Marginal permit holders over 65 years of age presently engaged in the fishery will be encouraged to retire and lease their permits to younger and more aggressive fishers thereby increasing effort.
4. Inflation of permit prices caused by leasing will add to the already high cost of permits and further prevent young rural people from entering a local fishery.
5. Leasing of permits will create a absentee landlord class of permit holders. In 5 years, approximately 13% of the total permits issued could fall under the leasing provision. This could become a public relations problem when the fishing industry becomes involved in legal disputes or resource allocation controversies with other industry or user groups.
6. Seattle permit brokers will benefit from a relaxation of anti-leasing provisions now in the statute as they expand their businesses from brokering of permit transfers to include brokering of leased permits. They will be able to obtain a list of names and addresses from the Commission of permit holders over 65 years of age.
7. CSSB 423 may violate the equal protection clause in the State Constitution. The Attorney General Office has not rendered an opinion on the constitutionality of this leasing proposal.
8. Legislative intent at the passage of limited entry law intended for the permit holder to be an active participant in the fishery. The limited entry program was never calculated when passed into law in 1973 to become a social program or a retirement plan by its supporters in the administration, the Legislature, or the commercial fishing industry.

STATE OF ALASKA

COMMERCIAL FISHERIES ENTRY COMMISSION

WALTER J. HICKEL, GOVERNOR

8800 GLACIER HIGHWAY, #109
JUNEAU, ALASKA 99801
(907) 789-6150 Licensing Calls
(907) 789-6160 Other CFEC Calls
(907) 789-6170 FAX

May 1, 1992

The Honorable Jay Hammond
Lake Clark Lodge
Port Alsworth, AK 99853

Dear Governor Hammond:

You recall that, when we met earlier this year, you were concerned about older limited entry permit holders who suffered disabilities which prevented them from fishing. Some of them wanted to obtain medical emergency transfers for more than one year in a row. They did not want to be forced into an untimely and improvident permanent transfer of their entry permits. As you know, under our statute the general rule is that an individual can be granted a medical emergency transfer for only one season for a given medical condition, unless extraordinary circumstances can be found in subsequent years.

We advised you that we had been able to help a number of such people based on a case from the Bristol Bay area. There was a grandfather who held a permit which he was no longer capable of fishing. He wanted to permanently transfer the permit to his grandson. However, the grandson had not yet reached an age where the grandfather could reasonably transfer the permit to him. The grandfather wanted to be able to obtain emergency transfers of his permit until his grandson reached a suitable age to hold and fish the permit. Because the transfer of a permit to a member of one's family is an intended purpose of the Limited Entry Act, we were pleased to find an exception to the one-year requirement for the grandfather. We have ruled the same way on a number of similar cases.

You indicated that this commission practice would help people you were concerned about and would obviate the need for legislation on this subject. You indicated, however, that the commission's practice was not sufficiently known to people who might benefit, and you asked the commission to make this information more widely available. We agreed to do so.

I wanted you to know that we have begun to make good on that commitment. I was given 45 minutes on the agenda of the Bristol Bay Native Association's Bristol Bay Fisheries Conference this spring in Dillingham. A principal part of my presentation consisted of explaining our practice. I urged those in attendance to take the information back to their villages for the benefit of individuals in this situation. (I also made some

The Honorable Jay Hammond

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May 1, 1992

other practical suggestions to help people get and keep limited entry permits in local communities, which I would be happy to discuss with you in detail, when we next have a chance to talk.)

In any event, I wanted you to know that we had begun to spread the information about how, under the existing program, the commission could help older individuals prevented from fishing their permits. We are sharing this letter with a number of interested legislators for the same purpose.

Cordially,

COMMERCIAL FISHERIES ENTRY COMMISSION

Bruce Twomley, Chairman
Rich Listowski, Commissioner
Frank Homan, Commissioner

by: 

cc: Bristol Bay Native Association
The Honorable Fred Zharoff
The Honorable Dick Eliason
The Honorable Lloyd Jones
The Honorable Lyman Hoffman
The Honorable Sam Cotten
The Honorable Cliff Davidson
The Honorable George Jacko

Re: SB 423 Temporary Transfer of Entry Permits

May 9, 1992

Hearing before House Resource Committee

I am Randy Briggs from Ugashik. I have been a commercial fisherman for 31 years. Chairman of the Lower Bristol Bay Advisory Committee for 20 years. I am speaking for myself and my family.

When Limited Entry came into being in 1973, no fisherman then fishing nor any legislators writing the law envisioned the fact that some provision also be made for temporary transfers for long time fishermen--where this was their only source of income, in fact--their way of life!

Provisions were made in statue after death and for minors, but no provision was made to cover the decline of physical activity of a fisherman who still wishes to stay involved in fishing, but physically can not be out in the vessel every minute the gear was being fished.

Now, 19 years later, a fisherman finds he can no longer continue as he or she has in the past. He doesn't wish to cut off his lifeline, but he can only get a temporary transfer for one or two years at most following a serious illness or accident. The following year the fisherman has to sell or sign over the permit or find another medical reason why he needs to transfer the permit. It is expensive to travel from remote villages to a medical facility to do this when needed.

This bill, SB 423 provides another option for the elder fisherman who may have days when he can't physically be on that boat. If a temporary transfer could be made to a family member, or a crewman, the boat could continue without the elder fisherman aboard.

Some argue "absentee ownership, that the person who owns the permit will make money off another person's labor." Fishing is a business. Show me a business today which doesn't make money off its employees.

There will be pressure on elder fishermen to keep the local permits in the local areas. In case of in-family transfers, the elder fisherman will still own the permit. Thus, the transferee will not be able to sell or mortgage the permit without permission.

I do not believe this bill is unconstitutional. Permit holders are now treated differently for temporary transfers.

1. Permanent permit holders can obtain temp. transfer for one year.
2. Interim use permit holders need only show hardship to transfer each year.
3. Permanent mobile gear holders must be on board at all times when fishing.
4. Fixed gear operators need only be in the general beach area.

Alaska already has other senior citizen benefits no one else has.

1. Longivity bonus is based in part on age.
2. Free hunting, fishing and trapping licenses--the 60-30 club.
3. Free automobile licenses for those over 60.
4. Senior citizens do not have to pay property tax in cities and buroughs.

It is unfortunate that so called bureaucratic agencies, bound by statue, are forced to make it so difficult for our senior fishermen to temporarily transfer their permit when needed on a year to year basis.

I urge you to pass this bill on for full house consideration.

Randy Briggs

SENATE BILL 423

Committee substitute for SB 423 addresses the concerns of commercial fishermen 65 years of age and over who suffer from age related physical disabilities.

CURRENT LAW A permanent permit holder fishing mobile gear must be present at all times when the gear is fished.

The emergency transfer of a permanent permit may be made only in case of illness or disability of a temporary, unexpected, and unforeseen nature, usually for one year, unless a different disability of unexpected nature occurs the following year.

EXCEPTIONS TO THE ABOVE L. Estates may emergency transfer the permit from year to year until the estate is settled.

2. Trustees of minors who inherit permits, may emergency transfer the permit year to year until the minor is 16 years of age.

3. The Limited Entry Commission tells us, interim use permit holders may emergency transfer the permit at any age because of illness or disability, or to simply alleviate a hardship on a year to year basis.

4. Fixed gear permit holders need only be in the general area when their gear is being fished. They are not required to actually participate physically.

CURRENT OPTION If a permanent permit holder suffers a disability which lasts more than a year the option is, sell the permit or give it away. In either case the permit holder must sign the permit over to the transferee with no recourse to repossess if agreement falls thru.

SENIOR FISHERMEN, ESPECIALLY MOBILE GEAR OPERATORS This bill is an attempt to cover by statute the senior fisherman, who, because of illness or disability, may need to slow down, not be present at all times or at best only part of the time when the gear is being fished.

Total Limited Entry Permits Issued (Excludes non transferable permits)		12,230
Total permit holders 65 and over (Incl. 109 permits not currently fished)	1062	8.7%
Total permit holders 60 to 64 (Incl. 75 permits not currently fished)	760	6.3%

A long time fisherman takes a great deal of pride in his fishing ability and in the ownership of a permit. It may be the only thing of great value which he or she owns. For many, fishing is a lifestyle. Most senior fishermen will wish to continue to be active even in a less physical manner. This bill will provide an opportunity for elder fishermen to impart their long term knowledge and still be involved in the fishing effort.

Because of the social structures in rural areas, it is believe this bill will help keep local permits in the local areas.

In case of in-family transfers, the elder fisherman will be provided time to make certain the family member appreciated the value of the permit and will not be able to sell or mortgage the permit immediately without permission.