

SB

21

FISCAL NOTE

STATE OF ALASKA
1995 LEGISLATIVE SESSION

BILL NO. SB 21

Revision Date:

Dept. Affected: Alaska Court System

Title: An Act relating to commercial fishing

BRU: Trial Courts

penalties

Component: .

Sponsor: Sen. Halford

Requestor:

COMPONENT SERIAL NO. 768

EXPENDITURES/REVENUES

(Thousands of Dollars)

OPERATING EXPENDITURES	FY 96	FY 97	FY 98	FY 99	FY 00	FY 01
PERSONAL SERVICES	17.7	17.7	17.7	17.7	17.7	17.7
TRAVEL	3.5	3.5	3.5	3.5	3.5	3.5
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS & CLAIMS						
TOTAL OPERATING	21.2	21.2	21.2	21.2	21.2	21.2

CAPITAL EXPENDITURES

CHANGE IN REVENUES ()

FUND SOURCE

(Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF	21.2	21.2	21.2	21.2	21.2	21.2
1005 GF/Program Receipts						
1006 GF/MHTIA						
Other						
TOTAL	21.2	21.2	21.2	21.2	21.2	21.2

POSITIONS

FULL-TIME						
PART-TIME	2.0	2.0	2.0	2.0	2.0	2.0
TEMPORARY						

Estimate of current year (FY 95) cost: \$

None

ANALYSIS: (Attach a separate page if necessary)

See attached analysis.

Prepared by: C. S. Christensen III, Staff Counsel

Phone: 264-8228

Agency: Alaska Court System

Date: 01/27/95

Approved by: Arthur H. Snowden, II, Administrative Director

Agency: Alaska Court System

Date: 01/27/95

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Alaska Court System
Fiscal Analysis
SB 21

The Department of Law predicts that this legislation will substantially increase the number of contested violations that go to trial. This fiscal note reflects their assumption.

Personal Services

	<u>Salary</u>	<u>Benefits</u>	<u>Total</u>
Pro Tem District Court Judge, Anchorage, permanent part-time, 3 months	\$5,118	\$3,054	\$9,072
In Court Clerk, range 12A, Anchorage, permanent part-time, 3 months	6,777	1,821	<u>8,598</u>
Total Personal Services			<u>17,670</u>

Travel

Transportation and per diem for judicial travel to primary commercial fishing areas. Represents anticipated costs in excess of current trial-related travel funding.

3,500

Total estimated cost

\$21,170

FISCAL NOTE

STATE OF ALASKA
1995 LEGISLATIVE SESSION

BILL NO. SB21

Revision Date: _____ Dept. Affected: Department of Law
 Title: *An Act relating to commercial fishing penalties.* BRU: Prosecution
 Component: Third Judicial District
 Sponsor: Senator Hallford
 Requester: Senator Hallford COMPONENT SERIAL NO. 0087

Expenditures/Revenues

(Thousands of Dollars)

OPERATING EXPENDITURES	FY 96	FY 97	FY 98	FY 99	FY 00	FY 01
PERSONAL SERVICES	0.00	43.6	43.6	43.6	43.6	43.6
TRAVEL	0.00	3.5	3.5	3.5	3.5	3.5
CONTRACTUAL	0.00	5.0	5.0	5.0	5.0	5.0
SUPPLIES	0.00	1.2	1.2	1.2	1.2	1.2
EQUIPMENT	0.00	6.5				
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0.0	59.8	53.3	53.3	53.3	53.3

CAPITAL EXPENDITURES						
----------------------	--	--	--	--	--	--

CHANGE IN REVENUES						
--------------------	--	--	--	--	--	--

FUND SOURCE

(Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF	0.0	59.8	53.3	53.3	53.3	53.3
1005 GF/Program Receipts						
1006 GF/MHTIA						
Other						
TOTAL	0.0	59.8	53.3	53.3	53.3	53.3

Estimate of any current year (FY95) cost: \$ 0.0

POSITIONS

FULL-TIME	0.0	1.0	1.0	1.0	1.0	1.0
PART-TIME						
TEMPORARY						

ANALYSIS: (Attach a separate page if necessary)

This bill amends AS 16.05.722(a) to increase the penalty for a person who, without any culpable mental state, violates the state's commercial fishing laws by providing for a fine of not more than \$6,000 for a first conviction and providing for a fine of not more than \$12,000 for a second or subsequent conviction. The existing penalties for these commercial fishing violations are \$3,000 and \$6,000, respectively.

We believe that this bill will have the effect of substantially increasing the number of contested violations that go to trial, because commercial fishing vessel operators are increasingly using legal counsel to make a court appearance when cited, thus permitting them to continue fishing without interruption. Once the fishing season has ended, the fishing vessel operators then make an economic decision whether to continue to pay the expense to contest violations or to plead out. The increase in the penalty will weigh in favor of the former course and therefore cause more vessel operators to choose to go to trial. About 500 violations occur annually in the Bristol Bay drift net fishery, where most of the impact will be felt. We therefore request fiscal impact funds to pay for a permanent part-time Attorney III, who would work on the increased caseload from

Prepared by: Richard I. Pequis, Director
 Division: Administrative Services Division
 Approved by Commissioner: Bruce M. Botelho, Attorney General
 Agency: Department of Law

Phone: 465-3672
 Date: 1/20/95
 Date: 1/20/95

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FISCAL NOTE

STATE OF ALASKA
1995 LEGISLATIVE SESSION

BILL NO. __ SB21

ANALYSIS CONTINUATION

from June through November each year.

Given that the law would not take effect for 90 days after enactment, and the enactment is not likely until the latter part of the session, the increase in fines will not be in place for this year's main Bristol Bay openings. Therefore, the fiscal impact for the division will not occur in FY 96, but will occur in all subsequent years.

Although it is impossible to predict the exact amount of fines that will be collected, the fines will undoubtedly increase, and the extra amount deposited in the general fund will in all likelihood more than offset the modest increase in prosecution costs.

* The department cannot accurately predict the amount of additional fines collected, because its records only include the amount fined from prior offenses when an offense was disputed and went to trial. That is, we do not have a record of fines collected when an offense is not disputed and the defendant enters a guilty plea and pays a fine. Although the courts have authority to suspend a portion of the fines that are levied, there will still be a significant increase in the total amount actually collected, if the initial amount of the fine is doubled, as this bill proposes.

POSITION INFORMATION HAS BEEN UPDATED AND FUNDING HAS BEEN UPDATED.

01,20/95

Position Information Inquiry/Update

08:20:59

Position: 03-03#026	Project: 0	Salary Costs: 33,900.00
Component: 03-65-01-02-03-00	Region:	Benefits Costs: 9,723.54
Scenario: 2 %: 96	COLA % = 0.000	Total Costs: 43,623.54

 Actuals not available (Status: UNKNOWN) | Retirement Code: A

00/00/00	Step: A for 6.0 months & Step: B for 0.0 months (total: 6.00)
0	Merit Date; use merit defaults? N (0.0 @ & 0.0 @)
	Class/Sched Prefix: 0 Schedule: HH (actual:)
	Bargaining Unit: XE Range: 22 (actual:)
	Location Code: DAA Place: DILLINGHAM
	Job Class Code: P7144 Title: ATTORNEY III _____
	Seasonal Indic.: P Type: _____

 Optional Override Salary Rates:

Monthly Rate: 0.00 for 0.0 months & rate of 0.00 for 0.0 months
 Hourly Rate: 0.00 for 0.0 months Frozen at this rate? (Y/N): N

Press ENTER to update record; enter # or use PF key to go to another screen:
 1-Premium pay info 2-Funding info 4-Code Translations 6-Calculations
 7-MISC NEW POS DATA 8-Detail Report 12-Exit w/o update Selection: 0_

New Position Requests Miscellaneous Data

System Assigned PCN: 03#026
Component: 6501020300
Scenario: 2
Project Number: 0

Salary Costs:	33900.00
Benefits Costs:	9723.54
Total Pers. Serv.:	43623.54
Associated Costs:	16200.00
Total Costs:	59823.54

RY Number: F/N SB21__
Personnel Assigned PCN: _____
BRU Priority: 0__

Associated Costs: (In Thousands Of Dollars)

Travel Costs:	_____ 3.5
Contractual Costs:	_____ 5.0
Supplies Costs:	_____ 1.2
Equipment Costs:	_____ 6.5
Other Costs:	_____ 0.0

Press Enter To Update Record; Enter # or PF KEY to go to another screen.
1=Premium Pay 2=Funding 12=Exit W/O Update 0__

New Position Justification

Page: 1

System assigned PCN: 03-03#026

in component: 03-5501020300

(Component name:) THIRD JUDICIAL DISTRICT

New position justification text:

- 1: Substantial increases in the penalties for commercial
- 2: fishing violations will result in more vigorous
- 3: defense by defendants and will increase the number of
- 4: trials significantly.

- 5:
- 6:
- 7:
- 8:
- 9:
- 10:
- 11:
- 12:
- 13:
- 14:
- 15:

Press ENTER to update new position justification;

..... Enter '1' or PF1 for more text entry:

or enter '12' or PF12 to exit this screen without update. Selection: J

FISCAL NOTE

STATE OF ALASKA
1995 LEGISLATIVE SESSION

BILL NO: SB 21

Revision Date: _____ Dept. Affected: Public Safety

Title: Fines/Commercial Fishing Violations BRU: Fish & Wildlife Protection

Component: Enforcement & JSU

Sponsor: Senator Halford

Requestor: Senator Halford COMPONENT SERIAL NO. 490

EXPENDITURES/REVENUES: (Thousands of Dollars) (inflation not included)

OPERATING	FY 96	FY 97	FY 98	FY 99	FY 00	FY 01
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	-0-	-0-	-0-	-0-	-0-	-0-
CAPITAL EXPENDITURES	-0-	-0-	-0-	-0-	-0-	-0-
CHANGE IN REVENUES ()	-0-	-0-	-0-	-0-	-0-	-0-
<small>Revenue Code</small>						

FUNDING: (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1006 GF/MHTIA						
Other						
TOTAL	-0-	-0-	-0-	-0-	-0-	-0-

Estimate of current year (FY 95) impact: \$ _____

POSITIONS:

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

ANALYSIS: (Attach a separate page if necessary.)

While increased monetary penalties may result in more court trials in which division personnel may be required to testify, the department also anticipates that enactment of this legislation will serve as a deterrent, resulting in a decline in the total number of violations.

Prepared By: Captain Teri Buddell Phone: 269-5589

Division: Fish & Wildlife Protection Date: 1/30/95

Approved by Commissioner: *[Signature]* Date: 1/20/95

Agency: Ronald L. Otte, Dept. of Public Safety

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SENATE COMMITTEE REPORT

First Committee of Referr

DATE: 1/16/95

FURTHER: Judiciary

Date of 5-Day Notice: 1-19-95
(in accordance with Uniform Rule 23)

DATE TURNED INTO OFFICE: 2-6-95

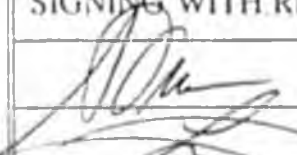
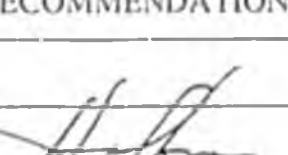
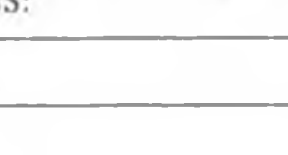
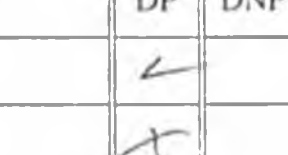
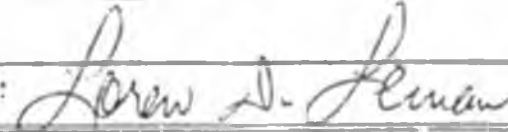
Resources Committee considered SENATE BILL NO. 21

"An Act relating to penalties for violations of commercial fishing laws."

and recommends:

- be replaced with CS 5021 (RES)
- adopt previous CS ()
- attached amendment(s)
- adopt Letter of Intent by Committee
- further referral to the Committee

Senate Bill:
same title
new title
House Bill:
technical change
new: SCR#

SIGNING WITH RECOMMENDATIONS:	DP	DNP	NR	AM
	✓			
	✓			
	✓			
	✓			
CHAIR: 	✓			

NEW FISCAL NOTE(S):

Department	Date	Zero	Fiscal
Public Safety	1-21-95	✓	
Prob Court System	1-27-95		\$212
Law	1-23-95	✓	

PREVIOUS FISCAL NOTE(S):*

Department	Date	Zero	Fiscal

APPROPRIATION -- no fiscal note

*include fiscal notes accompanying Governor's bill

CS FOR SENATE BILL NO. 21(RES)
IN THE LEGISLATURE OF THE STATE OF ALASKA
NINETEENTH LEGISLATURE - FIRST SESSION

BY THE SENATE RESOURCES COMMITTEE

Offered:
Referred:

Sponsor(s): SENATORS HALFORD, Green

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to penalties for violations of commercial fishing laws."

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

3 • Section 1. AS 16.05.722(a) is amended to read:

4 (a) A person who without any culpable mental state violates AS 16.05.440 -
5 16.05.690, or a regulation of the Board of Fisheries or the department governing
6 commercial fishing, is guilty of a violation and upon conviction is punishable by a fine
7 of not more than

8 (1) \$3,000 for a first conviction; [AND]

9 (2) \$6,000 for a second conviction or for a subsequent conviction not
10 described in (3) of this subsection; and

11 (3) \$9,000 for a third or subsequent conviction within a 10-year
12 period.

9-LS0334F/
Utermohle
2/3/95

CS FOR SENATE BILL NO. 21(RES)
IN THE LEGISLATURE OF THE STATE OF ALASKA
NINETEENTH LEGISLATURE - FIRST SESSION

BY THE SENATE RESOURCES COMMITTEE

Offered:
Referred:

Sponsor(s): **SENATORS HALFORD, Green**

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12 period.

**DIVISION OF LEGAL SERVICES
LEGISLATIVE AFFAIRS AGENCY
STATE OF ALASKA**

(907) 465-3867 or 465-2450
FAX (907) 465-2029
Mail Stop 3101

130 Seward Street, Suite 409
Juneau, Alaska 99801-2105

MEMORANDUM

February 2, 1995

SUBJECT: Penalties for violations of commercial fishing laws
(Work Order No. 9-LS0334\C)

TO: Senator Loren Leman
Attn: Annette Kreitzer

FROM: George Utermohle *GU*
Legislative Counsel

This memorandum accompanies the draft CS for SB 21, that you requested. This memorandum addresses an issue regarding the amount of civil and noncriminal fines that you should be aware of when considering this draft of SB 21.

Currently, the maximum fine under AS 16.05.722(a) is \$3,000 for a first offense and \$6,000 for each subsequent offense. SB 21 proposes to increase the maximum fine for a third or subsequent conviction within a ten year period to \$9,000.

A "violation" is a noncriminal offense punishable by only a noncriminal fine, and not by imprisonment or other penalty. AS 11.81.900. A noncriminal fine excludes fines so heavy that they indicate criminality. *Beran v. State*, 705 P.2d 1280, 1284 (Alaska App. 1985). The size of a fine that may be levied against the accused is one factor considered by the courts to determine if a statute is a criminal statute. If the size of a fine serves to brand a defendant with the same stigma as misdemeanor conviction, then the fine may be a criminal penalty. See, *Alaska Public Defender Agency v. Superior Court*, 584 P.2d 1106, 1110 (Alaska 1976). Other factors considered by the courts are whether the prohibited conduct connotes criminal conduct in the traditional sense and whether the prohibited conduct so offends contemporary social values as to be considered criminal. *Id.* The fact that a fine is a criminal penalty has important constitutional implications. If criminality is an issue in a proceeding, then the accused has significant constitutional rights, including the right to trial by a jury and to appointed counsel.¹

¹ Notwithstanding AS 16.05.722(c) which states that a person charged with a violation of AS 16.05.722(a) is not entitled to a jury trial or to representation at public expense, if the maximum fines that may be imposed under AS 16.05.722(a) are criminal fines then AS 16.05.722(c) is superseded by the Alaska Constitution. *Beran*, 705 P.2d at 1284, n. 4.

Senator Loren Leman

February 2, 1995

Page 2

The Alaska Supreme Court has not determined the amount of a fine that would denote criminality. The court has upheld a \$5,000 fine as a civil penalty, though two justices noted in a concurring opinion that the collateral consequences of a fine must also be considered in determining whether a fine constitutes a criminal penalty. State v. O'Neill Investigations, Inc., 609 P.2d 520 (Alaska 1980).

In the absence of more definitive statements by the Alaska courts, it is not possible to determine whether the proposed maximum fine of \$9,000 for noncriminal violation of commercial fishing laws as proposed by the draft CS SB 21(RES) would in reality constitute a criminal penalty. A penalty of \$9,000 is a bit more than the \$5,000 civil fine approved by the Alaska Supreme Court, however the court has not given any indication that a fine of \$5,000 approaches a criminal penalty. Violations of commercial fishing laws are not considered criminal acts in the traditional sense, like murder and larceny, and generally are not considered so offensive by contemporary society as to be inherently criminal. It is difficult to anticipate whether the courts would find that a fine of \$9,000 would reflect a degree of societal condemnation as to brand the accused as a criminal. The large amounts of money that can be made from fishing activities and the large financial windfall that a fisherman may receive by violating fishing regulations would be taken into consideration by the court in determining whether a fine of \$9,000 denotes criminality. Because the amounts of money received from commercial fishing are potentially large, it is less likely that a civil or noncriminal fine of \$9,000 would carry the stigma of a criminal punishment.²

Nonetheless, the ultimate answer as to whether a \$9,000 fine for a commercial fishing violation is a criminal fine must await further decisions of the Alaska courts.

If I may be of further assistance, please advise.

GEM klb
95-033 klb

Enclosure

² Federal law contains provisions for strict liability violations of federal commercial fishing laws, similar to AS 16.05.722. 16 U.S.C. 1857. The maximum civil fine imposed for such violations is set at \$100,000. 16 U.S.C. 1858.

9-LS0334C ✓
Utermohle
2/2/95

CS FOR SENATE BILL NO. 21(RES)
IN THE LEGISLATURE OF THE STATE OF ALASKA
NINETEENTH LEGISLATURE - FIRST SESSION

BY THE SENATE RESOURCES COMMITTEE

Offered:
Referred:

Sponsor(s): SENATORS HALFORD, Green

A BILL

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11 (3) \$9,000 for a third or subsequent conviction within a 10-year
12 period.



Alaska State Senate

Senate Finance Committee

Official Business

Mail Stop 3100
State Capitol
Juneau, Alaska 99801-1182

MEMORANDUM

TO: Senator Resource Committee Members
Senator Loren Lemman, Chair
Senator Drue Pearce
Senator Steve Frank
Senator Robin Taylor
Senator Georgianna Lincoln
Senator Lyman Hoffman

FROM: Senator Rick Halford

DATE: January 19, 1995

SUBJECT: Senate Bill 21 Sponsor Statement

A handwritten signature in cursive script that reads "Rick Halford".

=====

The pattern of activity in commercial fisheries is clear, the number of illegal acts is unacceptable. A report issued by the Department of Public Safety in 1993 indicated that ninety (90) individual fishermen were repeat offenders. The worse case being one individual who had eighteen (18) different violations between the years of 1986 - 1993. This data supports the notion that the majority of illegal activity is being conducted by repeat offenders or habitual offenders. Simply said, it is actually economically feasible to violate the law, pay the fine and still turn a profit.

The trend in the past has been for prosecutors and judges to plea bargain and, therefore, reduce the fines imposed on lawbreakers. By reducing the fines judges and prosecutors have been merely handing down a 'slap on the wrist' to most violators, thus the temptation to break the law increases exponentially.

Senate Bill 21 increases punishment for violations of commercial fishing laws by doubling the maximum fines allowable from \$3000 to \$6000 for a first violation and \$6000 to \$12000 for a second violation. The aim of SB 21 is to allow judges and magistrates to deter habitual violators rather than the current meager fines which are often considered just a part of doing business.

A stronger version of this legislation passed the Senate last year by a vote of 15 yeas and 4 nays. Please give SB 21 your full consideration. Thank you.

Sponsor Statement

25-

(1)

The following is a brief synopsis of the 1993 Bristol Bay Salmon Enforcement Program.

The program began on June 20, 1993, with an opener in the Egegik District, which was covered by the P/V PUBLIC SAFETY #1 (PS1). The P/V TROOPER and the P/V WOLDSTAD arrived in the bay on June 23. The P/V PS1 patrolled the Egegik and Ugashik districts, the P/V TROOPER patrolled the Egegik district, and the P/V WOLDSTAD patrolled the Naknek-Kvichak district. The P/V WOLDSTAD departed the bay on July 16, the P/V TROOPER departed on July 20, and the P/V PS1 patrolled the Ugashik district until July 19, 1993.

Unlike the 1991 season, we didn't have to deal with any strike related activity. This allowed us to concentrate our efforts on enforcement right from the beginning.

The Bristol Bay run this year came back considerably larger than forecast. The preseason forecast was for a return of 41.8 million fish. A commercial harvest of 41.7 million fish was achieved in 1993, with a total return of 53.6 million fish, broken down as follows:

RIVER SYSTEM	CATCHES	ESCAPEMENTS	TOTAL RUN
Naknek-Kvichak	8,914,823	5,931,722	14,846,545
Egegik	21,911,499	1,522,188	23,433,687
Ugashik	4,357,820	1,429,538	5,787,358
Nushigak	5,818,947	2,864,673	8,573,520
Togiak	721,007	356,980	1,077,987
TOTALS	41,724,096	11,895,001	53,619,097

The inshore run of sockeye salmon totaled 52.2 million fish, the third largest inshore return on record (trailing only returns of 62.5 million in 1980, and 53.1 million in 1985). It was approximately 25% greater than the preseason forecast of 41.8 million.

All districts except the Naknek-Kvichak experienced greater than expected runs and a commercial harvest of 40.8 million sockeye was achieved, the largest sockeye harvest on record for Bristol Bay (exceeding the previous high of 37.4 million in 1983). A total of 11.4 million sockeye entered the escapement.

The estimated ex-vessel value of the 1993 Bristol Bay salmon fisheries totaled \$153.7 million. This is the fifth largest ex-vessel value on record, but well below the \$202.3 million record value attained in 1980 when salmon prices were high and below last year's ex-vessel value of \$191.3 million. It was, however, well above the 1973 to 1992 mean value of \$102.9 million.

Bristol Bay Enforcement Recap 1993

Page 2

December 15, 1993

There were twenty commissioned personnel assigned to the program, as well as nine civilians. Six of the civilians were part of the crews on the two large patrol vessels and the other three were clerical support staff. The total number of personnel (including civilian vessel personnel, clerks, etc.) was twenty-nine. A personnel roster is attached. The highest number of personnel at the peak of the 1992 season was only nineteen. At the peak of the 1991 season, the highest number of personnel was thirty-eight.

We had four commissioned Alaska State Troopers assigned to the program full time. Three of these troopers were assigned to the vessels and one was assigned to the beach. Each of these individuals did an outstanding job.

TDY personnel arrived in King Salmon aboard the King Air on June 23, 1993. At which time, a briefing was held prior to their deployment to the vessels and to Dillingham.

We were able to maintain an excellent working relationship with the Alaska Department of Fish and Game staff in King Salmon and Dillingham. We were kept well informed of openings, closures, extensions, etc. Problem areas and enforcement concerns were discussed on a regular basis. The cooperation and coordination between the two agencies continues to be excellent and is expected to remain that way.

As always, our primary fisheries enforcement problems occurred on the district lines. As mentioned earlier, with no strike activity this year, we were able to concentrate on enforcement problems right from the start. This allowed us to stay on top of things as best we could.

It should be noted that on the first day of the fishery at Egegik, June 20, 1993, the crew of the P/V PS1, assisted by Trooper Gary Folger in a Piper Supercub, made approximately 60 closed waters cases.

Again this year, we saw excellent cooperation between the vessels and aircraft. With the exception of the first opening at Egegik, patrol vessel skiffs were able to approach nearly all violators spotted from the air.

While the P/V PS1 did an excellent job at Egegik, it was just not enough and couldn't control the line. Sergeant Rollin Young and FWEQ Scott Quist, as stated earlier, made approximately 60 cases the first day and could have probably made that many more if they had the skiffs and troops to do it.

Bristol Bay Enforcement Recap 1993

Page 3

December 15, 1993

With the big return to the Egegik district, we had close to 950 boats in that district throughout much of the season. Fishermen appeared to be much more aggressive this season and constantly pushed over the line. They knew at what point we were citing and pushed to that point and beyond continuously.

Our shore based personnel were faced with continuous set net complaints. This was primarily due to two reasons. First, there is always the ongoing dispute between the drifters and the setnetters. Numerous complaints came from the drifters that the setnetters were fishing too far out. Complaints also came from the setnetters that the drifters were on top of their set nets.

This was compounded this year by a regulation change that took effect March 1, 1993, which required setnetters to be no more than 1000 feet from the 18 foot high tide mark. In past years in this area, they could be out to 1200 feet from the 18 foot high tide mark.

Measuring these nets proved almost impossible until we located a La Prosurvey 1000 Laser Ranger 58, which we rented from The Surveyor's Exchange in Anchorage. This device proved invaluable in dealing with the problems of measuring nets, distances, etc.

At Ugashik, we experienced the same problems as in past years. As long as a patrol boat was on the line, we could keep fishermen from pushing over the line for the most part. However, the minute the boat got tied up with a case or left the line, fishermen decided it was open season everywhere.

With that in mind, we did a stakeout operation on the north line of Ugashik. We set up range markers on the bluff, utilizing the loran on the P/V PS1. This worked well and we made quite a few cases. Some boats we had over the line as many as three times in one day. The operation went well until the officer was spotted on the bluff by a spotter pilot, who then landed in a dry lake bed and walked up to see what he was doing. It was amazing how well the fishermen knew where the line was once they found out an officer was on the bluff.

We did a similar operation on the Egegik north line on the first opening. In that situation, we put an officer on another vessel with a fisherman who agreed to work with us. The P/V PS1 then left the line and the officer stayed on the private vessel and made approximately 20 cases. He reported seeing many skippers on their flying bridges with binoculars looking for the patrol vessel. His comments were that it was obvious most fishermen were not concerned about where the line was.

Bristol Bay Enforcement Recap 1993

Page 4

December 15, 1993

Four vessels were seized in the bay this season. Three of the vessels were seized for fishing closed waters and the fourth was seized as a result of the operators fishing without a permit. Vessels seized are as follows:

Fishing Vessel	Reason Seized	Settlement
GONE FISHING	.5 miles into closed waters after the closure of the Kvichak Section.	Civil: \$10,000
KATIE DEVINE	Closed waters 30 minutes after closure.	Released.
DEACON	Operator did not have a permit.	Has not settled.
MINSTRAL	1.5 miles into closed waters outside the Nushigak District.	Civil: \$25,000

The F/V KATIE DEVINE was released with no settlement. This was done because the defendant stated he had lost a net and that he had approval from Fish and Game to retrieve it from closed waters. A check revealed that Fish and Game did not talk to this individual. However, it was very clear from talking to other fishermen who heard the conversation on the VHF radio that someone came on the VHF and stated that they were ADF&G and that they had given the F/V KATIE DEVINE approval to go into closed waters to retrieve a net. The F/V KATIE DEVINE did forfeit its illegal fish.

We opened 482 cases during the Bristol Bay fishery this year, up from a previous all time high of 328 in 1991. We filed 509 criminal charges in 1993. There were 52 cases with multiple defendants and we had 21 cases where there were multiple charges per defendant.

We seized 581,474 pounds of fish during the season, of which; 161,172 has been forfeited to date. Based on an average of \$1.60 per pound, forfeiture value of this fish is \$96,730.20.

We seized 108 shackles of gillnet during the program. 19 shackles were forfeited as of this date.

As of December 9, 1993, gross fines for the program have been \$1,085,633.86, with only \$230,500 of that being suspended. This leaves a total of \$835,133.86 in net fines due the State.

Bristol Bay Enforcement Recap 1993

Page 5

December 15, 1993

There was nearly a 100% increase in closed waters cases in 1993, with a total of 311 cases in 1993 compared to 168 cases in 1992. This can be attributed in part to the extreme aggressiveness of the fishermen this season and to continued effective enforcement. A break down of the cases are as follows:

<u>VIOLATION</u>	<u># OF OCCURRENCES</u>
ASSAULT III	1
COMMERCIAL FISH AID AND ABET	2
COMMERCIAL FISH ANCHOR DRIFT NET	4
COMMERCIAL FISH CLOSED PERIOD	28
COMMERCIAL FISH CLOSED WATERS	311
COMMERCIAL FISH DRIFT TOO CLOSE	18
COMMERCIAL FISH EMPLOY UNLICENSED CREW	15
COMMERCIAL FISH FAIL TO MARK BUOY	5
COMMERCIAL FISH FAIL TO RECORD	4
COMMERCIAL FISH FAIL TO REGISTER	8
COMMERCIAL FISH FALSE FISH TICKET	2
COMMERCIAL FISH FALSE STATEMENT	3
COMMERCIAL FISH ILLEGAL GEAR	1
COMMERCIAL FISH ILLEGAL POSSESSION	5
COMMERCIAL FISH IMPROPERLY MARKED BUOY	1
COMMERCIAL FISH IMPROPERLY MARKED GEAR	8
COMMERCIAL FISH MISCELLANEOUS CHECK/STOP	1
COMMERCIAL FISH NET OUT TOO FAR	21
COMMERCIAL FISH NO BUOY	4
COMMERCIAL FISH NO CREW LICENSE	26
COMMERCIAL FISH NO PERMIT	3
COMMERCIAL FISH NO PHOTO ID	18
COMMERCIAL FISH NO VESSEL NAME	3
COMMERCIAL FISH NO VESSEL NUMBERS	8
COMMERCIAL FISH PERMIT HOLDER NOT PRESENT	5
LOG: BOATING ACCIDENT	1
LOG: CARCASS FOUND	1
LOG: COMMERCIAL FISH CLOSED PERIOD	1
LOG: COMMERCIAL FISH DRIFT TOO CLOSE	8
LOG: COMMERCIAL FISH FAIL TO REGISTER	2
LOG: COMMERCIAL FISH INTERFERE WITH GEAR	2
LOG: COMMERCIAL FISH MISCELLANEOUS	1
LOG: COMMERCIAL FISH NO VESSEL NUMBERS	1
LOG: COMMERCIAL FISH OVERLIMIT OF GEAR	4
LOG: COMMERCIAL FISH SET NET TOO CLOSE	1

Bristol Bay Enforcement Recap 1993

Page 6

December 15, 1993

<u>VIOLATION</u>	<u># OF OCCURANCES</u>
LOG: FOUND NET	2
LOG: GAME NUISANCE BEAR	1
LOG: MEDICAL ASSIST	1
LOG: PERSONAL USE CLOSED SEASON	2
LOG: PROCESS SERVED	1
LOG: PUBLIC ASSIST	3
LOG: UNMARKED GILLNET	1
SPORT FISH NO KING STAMP	2
SPORT FISH NO LICENSE	13
SPORT FISH USE BAIT	1
WARNING: COMMERCIAL FISH ANCHOR DRIFT NET	4
WARNING: COMMERCIAL FISH CLOSED PERIOD	2
WARNING: COMMERCIAL FISH CLOSED WATERS	8
WARNING: COMMERCIAL FISH DRIFT TOO CLOSE	1
WARNING: COMMERCIAL FISH EMPLOY U/L CREW	7
WARNING: COMMERCIAL FISH FAIL TO MARK NET	1
WARNING: COMMERCIAL FISH INTERFERE WITH GEAR	1
WARNING: COMMERCIAL FISH NO CREW LICENSE	6
WARNING: COMMERCIAL FISH NO VESSEL ID	1
WARNING: SPORT FISH NO LICENSE	6

Radio Dispatcher II Jolene Dodge from Kodiak, Clerk IV Cynthia Neategard from SIS, and Clerk Typist III Kim Spaans from Detachment provided the clerical support for the program. While from outward appearances this seems like a large clerical staff for one program, we must realize that Kim and Cynthia only overlapped each other for a couple of days and that this staff handled 484 cases in approximately three weeks. This included running criminal record checks on all defendants, closing case reports for those that plead out at arraignment, and returning those cases to the boats for full reports were the defendants plead not guilty at arraignment. They also utilized a data base program to keep track of all the statistics for this program.

For the most part the enforcement program went very well with personnel working as hard and carrying as large a case load as humanly possible. Without question the most frustrating part of the program was the process of prosecuting the cases and not receiving adequate penalties to serve as a deterrent to the fishermen. As in the past the Division, in conjunction with the District Attorney's Office in Dillingham, established recommended sentencing guidelines for the various violations occurring in the Bay. These guidelines were based on ten years of experience with the fishery. In 1993 we did begin citing fishermen for a narrower margin of closed water fishing

Bristol Bay Enforcement Recap 1993

Page 7

December 15, 1993

than in previous years with this being the only major change.

It is common practice to be approached by the various defendants prior to court arraignments in an effort for them to reach a plea agreement satisfactory to the state and thus avoid a trial. This routinely involves the fishermen and Fish & Wildlife personnel assigned court duty. The district attorney is advised of the agreement and normally makes this recommendation to the court.

★ { During 1993 we had two state attorneys assigned to the program. One attorney was not only new to Bristol Bay but was also a new attorney. The second attorney had several years of experience with the program. For some reason the experienced attorney felt the plea agreements were too harsh, so consequently it became common practice for him to lower the recommended penalty to the court, in many cases by \$1,000 to \$1,500 (sometimes more), and agree to return additional fish and nets. Keep in mind the original plea agreement was agreed to by the defendant. It was then not uncommon for the court to reduce the fine even more.

Another common problem with the District Attorney's office is the practice of reducing cases from a misdemeanor to an infraction (violation). This is done for a number of reasons but for the most part as a cost saving measure. The burden of proof is less for an infraction in that the "intent" of the fishermen to violate the law is not required to be proven (strict liability rule). However, intent has been proven in all cases originally filed as misdemeanors by FWP, the information is in the report. There is a greater chance of the defendant agreeing to plea to an infraction, as opposed to a misdemeanor because the monetary fine is less, there is no chance of serving jail time, and his fishing permit can not be suspended. As a result, this saves the Department of Law and the Court System time and money by not having to schedule expensive trials, convene juries and pay judge and attorney travel expenses to the Bay later in the year. No one debates the expense and time that would be necessary to conduct misdemeanor trials for the several hundred fishing cases.

★ The number of cases in Bristol Bay are increasing while the fines per case are decreasing. The fishermen already know they may be able to make several illegal sets valued at \$10,000 to \$20,000 before being caught. This combined with the possibility of a mere \$3,000 or even a \$6,000 fine serves as no deterrent to their illegal acts.

As long as misdemeanor cases are reduced to infractions there will never be any chance of fishing permits being suspended or ultimately revoked after three convictions as provided by statute. This of course is the

Bristol Bay Enforcement Recap 1993

Page 8

December 15, 1993

Prior to the 1994 season it is imperative for the Division to meet with the appropriate state attorneys and judges if necessary to resolve those issues. Division personnel and the commercial fishing community are demanding a much higher compliance rate but this will never happen until the penalty exceeds or at least meets the value of the crime.

This is a list of the personnel and equipment which were utilized in the program:

P/V WOLDSTAD (Egegik, Naknek, and Kvichak)

Cpl. Dean Layton

Trp. Lonnie Swanson

VTII Bill Wortanen

BOI Don Wood (cook)

BOI John Gianguilli

BOI Mike Reuter

Trp. Ken Woldstad

AST Trp. Willard Ellis

P/V TROOPER (Egegik)

Trp. Robert Rodrigues

Trp. Scott Jones

BOI Rick Gottwald

VTI Mark Selvog

FWEO Bob Beasley

AST Trp. Jeff Edmondson

AST Trp. Frank D'Angelo

P/V PUBLIC SAFETY #1 (Egegik and Ugashik)

Trp. Rollin Young

FWEO Scott Oulst

KING SALMON

Lt. Thomas Schwantes

Sgt. Don Starbard

Trp. Gary Folger (pilot)

Trp. Curt Bedingfield (pilot) (set net)

FWEO Rohn Nelson (set net)

AST Trp. Joanna Roop (set net)

RDII Jolene Dodge

CIV Cynthia Nestegard

CTIII Kim Spaans

Bristol Bay Enforcement Recap 1993

Page 9

December 15, 1993

DILLINGHAM

Trp. Ed Painter (pilot) (O.I.C.)

Trp. Jim Lowe (22' Whaler)

FWEO Eric Olsen (22' Whaler)

AIRCRAFT

PA18 Cub on floats (King Salmon)

PA18 Cub on wheels (King Salmon)

PA18 Cub on floats (Dillingham)

King Air (transportation of TDY personnel)

VESSELS

P/V WOLDSTAD (2 skiffs)

P/V TROOPER (2 skiffs)

P/V PUBLIC SAFETY #1 (1 skiff)

22' Whaler (King Salmon)

22' Whaler (Dillingham)

Vessel Sea Days	FY93	FY94	Total
P/V WOLDSTAD	12	20	32
P/V TROOPER	10	23	33
P/V PUBLIC SAFETY #1	10	22	32
22' WHALER (DILLINGHAM)	3	10	13
22' WHALER (KING SALMON)	8	19	27
Grand Total	43	94	137

AIRCRAFT HOURS

Cessna 714NK 1.2 Hours

PA18 24005 42.5 Hours

PA18 7058 54.9 Hours

PA18 88AK 84.4 Hours

TOTAL AIRCRAFT HOURS 183.4 Hours

FY93 AIRCRAFT HOURS - 82.5

FY94 AIRCRAFT HOURS - 80.9

SENT BY: FISH & WILDLIFE PROT : 1-31-94 : 9:00 : DIRECTOR'S OFFICE

1211

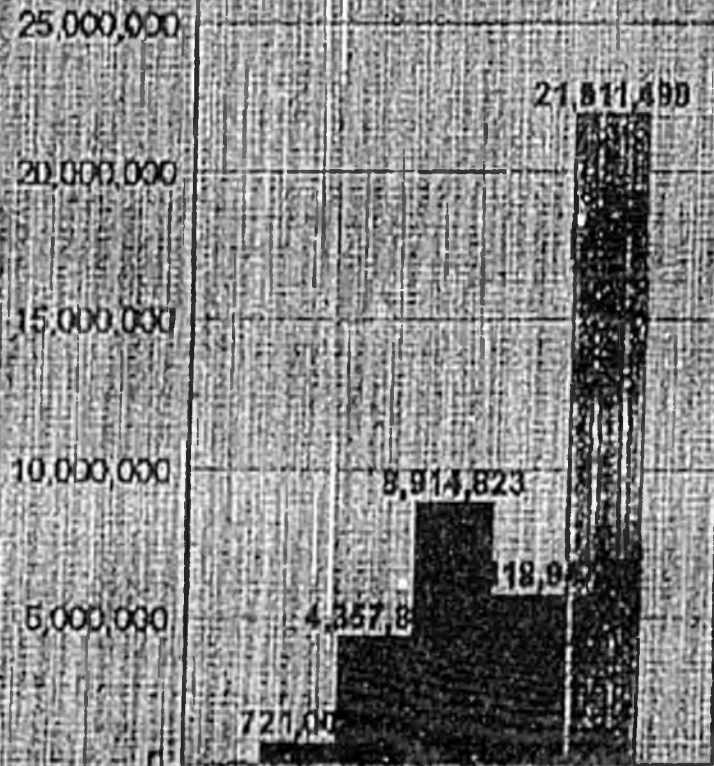
ALASKA
DEPARTMENT OF PUBLIC SAFETY
FISH AND WILDLIFE PROTECTION
BRISTOL BAY SALMON ENFORCEMENT
1993 SEASON

Commissioner,
Richard L. Burton



ADF&G Statistics

- ▶ Ex-vessel value of the harvest
- ▶ **\$153.7 million dollars**
- ▶ (fifth largest ever)
- ▶
- ▶ Total run was **53,619,017 fish.**
- ▶ (third largest run ever)
- ▶
- ▶ Total catch was **41,724,096**
- ▶ (largest sockeye catch on record, exceeding the prior 1983 record of 37.4 million)
- ▶
- ▶ Total Escapement = **11,895,001**



CATCHES

■ TOGIK ■ IGASHIK ■ NAK-KVICHAK
 ■ NUBHAGAK ■ EGECIK

1993 BRISTOL BAY SALMON PROGRAM COSTS vs- INCOME COMPARISON

▶ EXPENSES

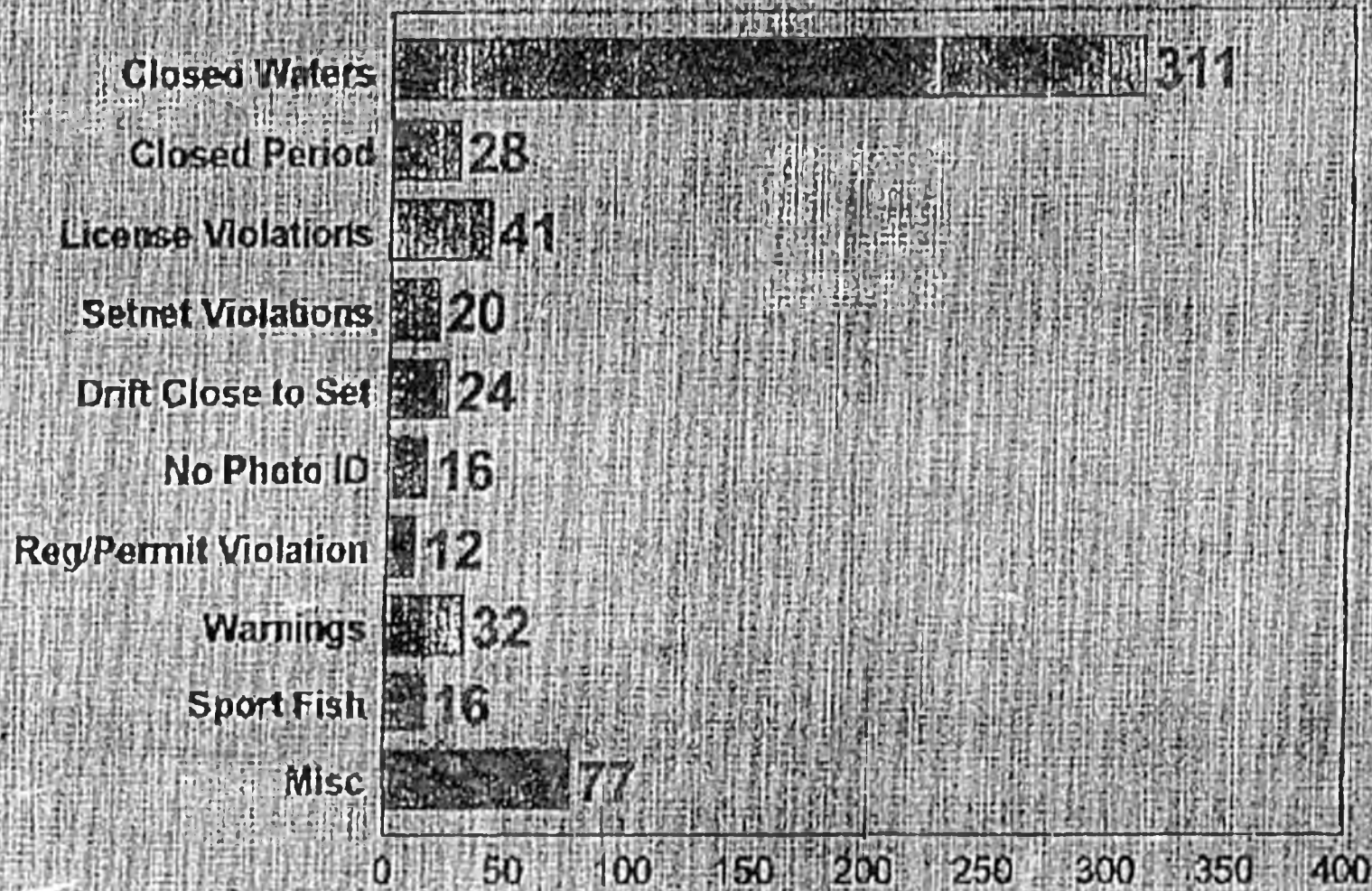
- ▶ PERSONAL SERVICES
\$173,050.00
- ▶ TRAVEL
\$ 27,572.00
- ▶ CONTRACTUAL
\$ 9,494.00
- ▶ SUPPLIES \$ 17,812.00
- ▶ TOTAL EXPENSES
\$227,928 00

▶ INCOME

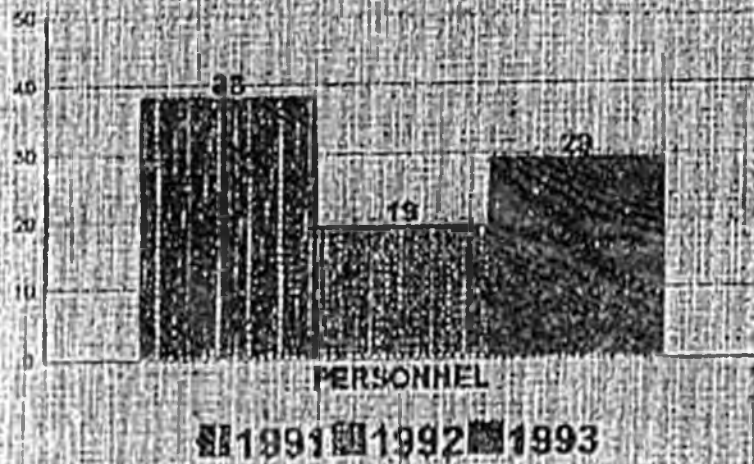
- ▶ FINES \$ 835,133.86
- ▶ SEIZED FISH
\$ 86,730.20
- ▶ FORFEITED GEAR
\$ 5,700.00
- ▶ CIVIL FINES
\$35,000.00
- ▶ TOTAL INCOME
\$972,564.06
- ▶ Cases remaining to be settled = 65.

121 C: 25

1993 Distribution of Case Load



1991 - 92 - 93 COMPARISONS

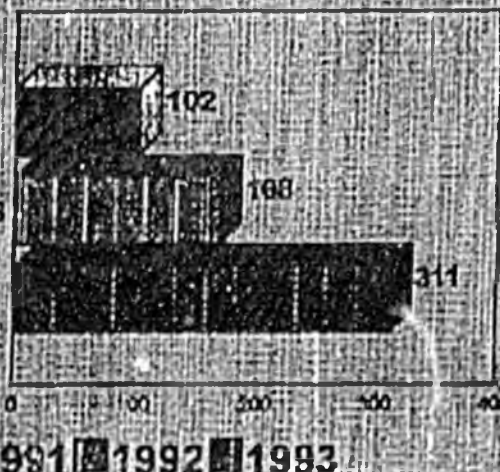


1991 - 92 - 93 COMPARISONS

#FISH SEIZED



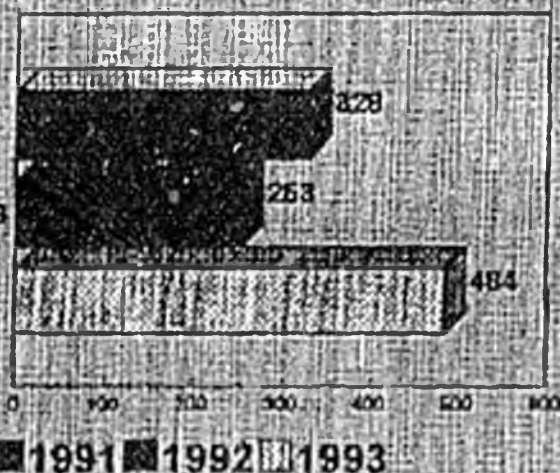
CLOSED WATERS



NETS SEIZED



TOTAL CASES



.....
FROM THE DESK OF

DEPUTY COMMISSIONER
C.E. SWACKHAMMER

DEPARTMENT OF PUBLIC SAFETY

P.O. Box 111200, Juneau, AK 99811

MEMO TO: Don Lick Hallford
Attn: Dan Thompson

DATE: 4-1-94

PHONE: 907 465 4322

FAX: 907 465 4362

SUBJECT: Bristol Bay Violations

It was able to locate another copy -
made you two so you could read it
twice

Swack

.....
.....
Research

CRIMINAL HISTORY

COURT Dispo

A acquitted
 B no complaint filed
 C nolo contendere
 D Dismissed
 E Bail forfeited
 G guilty
 H not guilty
 N no dispo available
 P not prosecuted-DA declined
~~PR~~ SIS/DIS completed
 S SIS/DIS
 T closed statistically
 I Not Guilty by Trial
 W PARDON by Governor
 U - SIS - NOT SET ASIDE

SENTENCE

A Alcohol screening
 C Commitment
 D Deferred Sent
 F Fine
 FS Fine Susp.
 J Jail
 JS Jail Susp.
 L License Susp
 P Probation
 R Reduced Charge
 S SIS
 T Restitution

PERSON TEMPERMENT

A	Armed	4'8" - 56"
C	Caution	4'9" - 57"
D	Dangerous	5' - 60"
I	Incapaciated	5'1" - 61"
M	Mental	5'2" - 62"
R	Resist arrest	5'3" - 63"
		5'4" - 64"
		5'5" - 65"
		5'6" - 66"
		5'7" - 67"
		5'8" - 68"
		5'9" - 69"
		5'10" - 70"
		5'11" - 71"
		6' - 72"
		6'1" - 73"
		6'2" - 74"
		6'3" - 75"
		6'4" - 76"
		6'5" - 77"
		6'6" - 78"

INLETING

B - Booking photo
 R - R&I Judgement
 F - Fingerprint Card-gm sheet
 P - Rap sheet
 X - Booking Sheet - discontinued
 W - Audit Report
 X - DECEASED
 Y - Citation
 Z - Judgement

OFFENSE CODES

9761 Child Enticement
 9852 Stop at direction of Officer
 9898 Fail to give notice
 9854 Render Aid or Assistance
 4899 Obstruct/interfere
 5309 Harassment

CASE Closure Info

CA - Closed by Arrest
 CD - " Declined Prosecution
 CI - " By Investigation -
 no further leads
 CU - Close unfounded
 CL - Closed LOG
 CE - Closed by Excepti
 RA - Referred to Another
 Agency
 IR - Initiate Report

UNIQUE IDENTIFIER	VIOLATION DATE	VIOLATION CODE	CONVICTION CODE	DESCRIPTION	DISPO
655692	01/14/1993	3600		GM LI UNLICENSED	
101238	01/14/1993	3600		GM LI UNLICENSED	
854138	02/05/1993	3622		GM CS TK CLOSED SEASN	
	02/05/1993	3622		GM CS TK CLOSED SEASN	
1366393	02/18/1993	8001		AA I. FLS STM/SP APPL	
851390	04/29/1993	3181		CP FAIL CBT LIC CREM	
418076	04/29/1993	3180		CP LI ENPL UNL CREM	
691970	04/29/1993	3181		CP FAIL CBT LIC CREM	
1328311	04/29/1993	3181		CP FAIL CBT LIC CREM	
1328319	04/29/1993	3181		CP FAIL CBT LIC CREM	
174907	04/30/1993	3150		CP IG OVER LENGTH NET	
	04/30/1993	3212	P212	CP ID EL TO WPK BUDY	C
583864	05/01/1993	3171		CP MISCELLANEOUS	
3142	05/01/1993	3181		CP FAIL CBT LIC CREM	
1328358	05/01/1993	3181		CP FAIL CBT LIC CREM	
525565	05/01/1993	3180		CP LI ENPL UNL CREM	
450357	05/01/1993	3171		CP MISCELLANEOUS	
581216	05/07/1993	3214		CP FL. HL. CBJ. NT V/AD	
	05/07/1993	3214	A214	CP FL. HL. CBJ. NT V/AD	D
1311181	05/30/1993	8001		AA I. FLS STM/SP APPL	
1124711	06/04/1993	8001		AA I. FLS STM/SP APPL	
1306392	06/19/1992	3170		CP LIC FLS STM/APPL	
680561	06/20/1993	3120		CP CM COMM FISC	
344058	06/20/1993	3120		CP CM COMM FISC	
	07/01/1992	3120	3120	CP CM COMM FISC	D
203479	06/20/1993	3120		CP CM COMM FISC	
	07/12/1992	3120	3120	CP CM COMM FISC	C
170283	06/20/1993	3180		CP LI ENPL UNL CREM	
	06/20/1993	3120	3120	CP CM COMM FISC	C
	06/20/1993	3120	3120	CP CM COMM FISC	C

UNIQUE IDENTIFIER	VIOLATION DATE	VIOLATION CODE	CONVICTION CODE	DESCRIPTION	DISTO
1334546	06/20/1993	8181		CP FAIL CRT LIC CREW	
933941	06/20/1993	8120		CP CN COMM FISH	
1334719	06/20/1993	8120		CP CN COMM FISH	
264102	06/21/1993	8120		CP CN COMM FISH	
310715	06/21/1993	8181		CP FAIL CRT LIC CREW	
1324139	06/21/1993	8120		CP CN COMM FISH	
1231647	06/21/1993	8120		CP CN COMM FISH	
	07/06/1991	8120	8120	CP CN COMM FISH	0
1072427	06/22/1993	8180		CP LI ENPL HRL CREW	
	06/22/1993	8120	8120	CP CN COMM FISH	0
	04/29/1993	8185	8185	CP FAIL CRT VSSL LIC	0
1097920	06/22/1993	8181		CP FAIL CRT LIC CREW	
1334719	06/22/1993	8120		CP CN COMM FISH	
317074	06/24/1993	8180		CP LI ENPL HRL CREW	
	07/01/1988	8120	8120	CP CN COMM FISH	0
	07/01/1988	8210	8210	CP FL TO 10 ADPCH	0
	07/09/1989	8120	8120	CP CN COMM FISH	0
	07/07/1992	8120	8120	CP CN COMM FISH	0
	06/29/1992	8105	8105	CP CS TRAIL GILL NET	0
	06/24/1993	8250	8250	CP CP NET CIG TO NET	0
1334837	06/24/1993	8181		CP FAIL CRT LIC CREW	
1207695	06/24/1993	8181		CP FAIL CRT LIC CREW	
56046	06/24/1993	8181		CP FAIL CRT LIC CREW	
1318192	06/24/1993	8120		CP CN COMM FISH	
582765	06/24/1993	8120		CP CN COMM FISH	
	07/10/1988	8120	8120	CP CN COMM FISH	0
	04/25/1990	8184	8184	CP PRM BLDR NET PERS	0
305131	06/24/1993	8180		CP LI ENPL HRL CREW	
	06/21/1993	8120	8120	CP CN COMM FISH	0
	06/24/1993	8120	8120	CP CN COMM FISH	0
132039	06/24/1993	8105		CP CS TRAIL GILL NET	
	07/05/1991	8212	8212	CP 10 FL TO HRE 8107	0
145943	06/25/1993	8120		CP CN COMM FISH	
100943	06/25/1993	8120		CP CN COMM FISH	

UNIQUE IDENTIFIER	VIOLATION DATE	VIOLATION CODE	CONVICTION CODE	DESCRIPTION	DISPO
	07/26/1997	8120	8120	CP CN COOH FISH	C
	07/06/1991	8260	8260	CP CP NET CLS TO NET	C
348285	06/26/1993	8120		CP CN COOH FISH	
	07/03/1993	8248	8248	CP FL NET FOR AREA	D
	07/31/1993	8120	8120	CP CN COOH FISH	C
1264430	06/27/1993	9001		AA L FLS STM/SP APPL	
1299541	07/18/1993	8001		AA L FLS STM/SP APPL	
570207	07/29/1993	3001		AA L FLS STM/SP APPL	
1347461	08/13/1993	8411		SP CAST IN CLSD NETS	
1347469	08/13/1993	8411		SP CAST IN CLSD NETS	
1347471	08/13/1993	8411		SP CAST IN CLSD NETS	
1347474	08/13/1993	8411		SP CAST IN CLSD NETS	
1347480	08/13/1993	8411		SP CAST IN CLSD NETS	
1347482	08/13/1993	8411		SP CAST IN CLSD NETS	
1347485	08/13/1993	8411		SP CAST IN CLSD NETS	
1347735	08/13/1993	8411		SP CAST IN CLSD NETS	
1264430	08/15/1993	8001		AA L FLS STM/SP APPL	
1026092	08/22/1993	8752		CM 10 WASTE/FO ANIML	
	08/22/1993	8752		CM 111 WASTE/FO ANIML	
1378172	08/22/1993	8120		CP CN COOH FISH	
1224745	09/02/1993	8602		CM LI FL ORT ERY TOL	
1354259	09/03/1993	8605		CM LI BY TTY VIOL	
1060518	09/04/1993	8752		CM 10 WASTE/FO ANIML	
	09/04/1993	8622		CM CS TX CLSD SPASH	
151449	09/06/1993	8508		CM CR GUIDE W/O LIC	
1355803	09/06/1993	8508		CM CR GUIDE W/O LIC	
1354266	09/07/1993	8605		CM LI BY TTY VIOL	
1049727	09/07/1993	8605		CM LI BY TTY VIOL	
1354346	09/13/1993	8605		CM LI BY TTY VIOL	

UNIQUE IDENTIFIER	VIOLATION DATE	VIOLATION CODE	CONVICTION CODE	DESCRIPTION	DISPO
476098	09/20/1993	8622		GM CS TR CLESD SEASON	
519753	09/23/1993	8605		GM LI BY TXT VIOL	
1126834	09/24/1993	8602		GM LI ZL OBT BRV TCK	
930572	09/30/1993	8750		GM IU ILL SALE/BRTR	
	09/12/1991	8001	8001	AA L FLS STM/SP APPL	C
	09/12/1991	8001	8001	AA L FLS STM/SP APPL	C
1209328	01/05/1993	8752	8752	GM IU WASTE/ED ANIML	G
629207	01/05/1993	8752	8752	GM IU WASTE/ED ANIML	G
	01/02/1993	8609	8609	GM LI MISC	C
	01/02/1993	8609	8609	GM LI MISC	C
	07/21/1992	8609	8609	GM LI MISC	C
1147214	01/05/1993	8752	8752	GM IU WASTE/ED ANIML	G
1248976	01/03/1992	8001	8001	AA L FLS STM/SP APPL	C
	01/03/1992	8001	8001	AA L FLS STM/SP APPL	C
	01/03/1992	8001	8001	AA L FLS STM/SP APPL	C
	01/03/1992	8001	8001	AA L FLS STM/SP APPL	C
	01/05/1993	8752	8752	GM IU WASTE/ED ANIML	C
1114525	04/01/1993	8181	8181	CP FAIL OBT LIC CREW	C
596709	06/29/1986	8400	8400	SP LI FISE W/O LIC	G
	04/27/1993	8100	8100	CP CS CP CLESD SEASON	C
360256	04/28/1993	8100	8100	CP CS CP CLESD SEASON	C
1328024	04/28/1993	8181	8181	CP FAIL OBT LIC CREW	C
37221	07/08/1991	8120	8120	CP CN COMM FISE	C
	04/28/1993	8185	8185	CP FAIL OBT FSSL LIC	C
	04/28/1993	8185	8185	CP FAIL OBT FSSL LIC	C
	07/08/1991	8120	8120	CP CN COMM FISE	C
	04/28/1993	8185	8185	CP FAIL OBT FSSL LIC	C
	04/28/1993	8185	8185	CP FAIL OBT FSSL LIC	C
495748	04/28/1993	8181	8181	CP FAIL OBT LIC CREW	C
1328080	04/28/1993	8181	8181	CP FAIL OBT LIC CREW	C
1142050	04/28/1993	8180	8180	CP LI EMP USE CREW	C
	06/21/1993	8120	8120	CP CN COMM FISE	D
	06/20/1993	8120	8120	CP CN COMM FISE	D
177403	04/28/1993	8185	8185	CP FAIL OBT FSSL LIC	C
1328982	04/29/1993	8100	8100	CP CS CP CLESD SEASON	C

VIOLATOR IDENTIFIER	VIOLATION DATE	VIOLATION CODE	CONVICTION CODE	DESCRIPTION	DISPO
160008	07/07/1987	8212	8212	CP 10 FL TO MKR BUOY	C
	06/27/1988	8120	8120	CP CN COMM FISH	C
	04/29/1993	8100	8100	CP CS CP CLSD SEASON	C
1102831	04/29/1993	8182	8182	CP FL OBT PRMT CPFC	C
	04/29/1993	8185	8185	CP FAIL OBT VSSL LIC	C
102849	04/29/1993	8214	8214	CP FL NR GLL NT W/AD	C
1133954	07/08/1992	8120	8120	CP CN COMM FISH	C
	07/01/1992	8120	8120	CP CN COMM FISH	C
	04/29/1993	8100	8100	CP CS CP CLSD SEASON	C
439146	07/14/1989	8100	8100	CP CS CP CLSD SEASON	C
	07/01/1989	8120	8120	CP CN COMM FISH	C
	07/16/1988	8120	8120	CP CN COMM FISH	C
	04/29/1993	8181	8181	CP FAIL OBT LIC CREW	C
1072427	06/22/1993	8120	8120	CP CN COMM FISH	C
	04/29/1993	8185	8185	CP FAIL OBT VSSL LIC	C
1328320	04/29/1993	8180	8180	CP LI ENPL UNL CREW	C
159184	04/29/1993	8185	8185	CP FAIL OBT VSSL LIC	C
1102831	04/29/1993	8182	8182	CP FL OBT PRMT CPFC	C
	04/29/1993	8185	8185	CP FAIL OBT VSSL LIC	C
174907	04/30/1993	8212	8212	CP 10 FL TO MKR BUOY	C
260647	04/30/1993	8180	8180	CP LI ENPL UNL CREW	C
207951	04/30/1993	8214	8214	CP FL NR GLL NT W/AD	C
452860	07/02/1993	8120	8120	CP CN COMM FISH	C
	04/30/1993	8181	8181	CP FAIL OBT LIC CREW	C
570062	05/01/1993	8171	8171	CP MISCELLANEOUS	C
485746	03/18/1991	8222	8222	CP POSS UNL SEIZURE	C
	07/10/1993	8120	8120	CP CN COMM FISH	C
	05/01/1993	8211	8211	CP FL DISC W/LS VSSL	C
1149174	05/01/1993	8171	8171	CP MISCELLANEOUS	C
130513	05/01/1993	8100	8100	CP CS CP CLSD SEASON	C
	05/01/1993	8171	8171	CP MISCELLANEOUS	C
	05/01/1993	8180	8180	CP LI ENPL UNL CREW	C
	05/01/1993	8100	8100	CP CS CP CLSD SEASON	C
	05/01/1993	8171	8171	CP MISCELLANEOUS	C
	05/01/1993	8180	8180	CP LI ENPL UNL CREW	C
1102286	05/01/1993	8181	8181	CP FAIL OBT LIC CREW	C

UNIQUE IDENTIFIER	VIOLATION DATE	VIOLATION CODE	CONVICTION CODE	DESCRIPTION	DISTO
180518	05/01/1993	8100	8100	CP 05 CP CLED SEASON	C
	05/01/1993	8171	8171	CP MISCELLANEOUS	C
	05/01/1993	8180	8180	CP LI ENPL UNL CREW	C
923348	05/01/1993	8180	8180	CP LI ENPL UNL CREW	C
129592	05/01/1993	8181	8181	CP FAIL CBT LIC CREW	C
89630	05/01/1993	8180	8180	CP LI ENPL UNL CREW	C
231470	10/03/1986	8180	8180	CP LI ENPL UNL CREW	D
	01/12/1988	8121	8121	CP ON ILL STORE POTS	G
	01/27/1993	8222	8222	CP POSS W/SZ SHPISH	C
	05/01/1993	8180	8180	CP LI ENPL UNL CREW	C
1122914	05/01/1993	8211	8211	CP FL DISP XBRPS VESL	C
307486	05/01/1993	8181	8181	CP FAIL CBT LIC CREW	C
1121941	05/01/1993	8181	8181	CP FAIL CBT LIC CREW	C
1328373	05/02/1993	8181	8181	CP FAIL CBT LIC CREW	C
	05/02/1993	8180	8180	CP LI ENPL UNL CREW	C
1328328	05/02/1993	8181	8181	CP FAIL CBT LIC CREW	C
1328373	05/02/1993	8181	8181	CP FAIL CBT LIC CREW	C
	05/02/1993	8180	8180	CP LI ENPL UNL CREW	C
382563	05/02/1993	8214	8214	CP FL MX GLL WT W/AD	C
	06/30/1993	8120	8120	CP ON COMM FISH	C
704148	04/12/1990	8102	8102	CP 05 FAIL/BODY NET	D
	05/02/1993	8214	8214	CP FL MX GLL WT W/AD	C
1029829	04/17/1993	8401	8401	CP FSE W/O LIC IN PD	C
	05/02/1993	8400	8400	CP LI FISH W/O LIC	C
570830	06/27/1987	8120	8120	CP ON COMM FISH	C
	05/03/1993	8171	8171	CP MISCELLANEOUS	C
1328379	05/03/1993	8181	8181	CP FAIL CBT LIC CREW	C
101048	07/03/1986	8120	8120	CP ON COMM FISH	C
	07/11/1987	8212	8212	CP 10 FL TO MKR BUOY	C
	07/07/1987	8212	8212	CP 10 FL TO MKR BUOY	C
	07/04/1987	8120	8120	CP ON COMM FISH	G
	07/11/1989	8120	8120	CP ON COMM FISH	D
	07/14/1990	8260	8260	CP CP NET C/S TO NET	C
	05/23/1992	8228	8228	CP ILL POSS GENERAL	R
	05/04/1993	8214	8214	CP FL MX GLL WT W/AD	C
	05/04/1993	8152	8152	CP 10 O/LIN GILL NET	C
	07/03/1986	8120	8120	CP ON COMM FISH	C

UNIQUE IDENTIFIER	VIOLATION DATE	VIOLATION CODE	CONVICTION CODE	DESCRIPTION	DISPO
	07/11/1987	8212	8212	CP ID FL TO MRK BUOY	C
	07/07/1987	8212	8212	CP ID FL TO MRK BUOY	C
	07/04/1987	8120	8120	CP CN COMM FISH	G
	07/11/1989	8120	8120	CP CN COMM FISH	G
	07/14/1990	8260	8260	CP CP NET CLS TO NET	C
	05/23/1992	8228	8228	CP ILL POSS GENERAL	R
	05/04/1993	8214	8214	CP FL XR GLL NT W/AD	C
	05/04/1993	8152	8152	CP IG W/LIN GILL NET	C
1328296	05/04/1993	8181	8181	CP FAIL OBT LIC CREW	C
1328308	05/04/1993	8180	8180	CP LI EXPL UNL CREW	C
1328301	05/04/1993	8180	8180	CP LI EXPL UNL CREW	C
	05/04/1993	8181	8181	CP FAIL OBT LIC CREW	C
	05/04/1993	8180	8180	CP LI EXPL UNL CREW	C
	05/04/1993	8181	8181	CP FAIL OBT LIC CREW	C
1328368	05/04/1993	8180	8180	CP LI EXPL UNL CREW	C
	07/14/1993	8120	8120	CP CN COMM FISH	G
1328364	05/04/1993	8181	8181	CP FAIL OBT LIC CREW	C
286480	05/04/1993	8181	8181	CP FAIL OBT LIC CREW	C
312891	05/06/1993	8214	8214	CP FL XR GLL NT W/AD	C
581216	05/07/1993	8214	8214	CP FL XR GLL NT W/AD	D
454045	02/08/1993	8171	8171	CP MISCELLANEOUS	C
	05/27/1993	8211	8211	CP FL DISP WRS VSEL	G
585156	06/16/1991	8105	8105	CP OS TRAIL GILL NET	G
	06/20/1993	8120	8120	CP CN COMM FISH	C
1334432	06/20/1993	8120	8120	CP CN COMM FISH	C
7551	06/29/1993	8120	8120	CP CN COMM FISH	C
	06/20/1993	8105	8105	CP OS TRAIL GILL NET	C
1334525	07/02/1993	8120	8120	CP CN COMM FISH	C
	06/20/1993	8120	8120	CP CN COMM FISH	C
1334537	06/20/1993	8120	8120	CP CN COMM FISH	C
503858	06/20/1993	8120	8120	CP CN COMM FISH	C
448427	06/20/1993	8120	8120	CP CN COMM FISH	C
689533	06/29/1993	8120	8120	CP CN COMM FISH	C
	06/20/1993	8120	8120	CP CN COMM FISH	C
1334686	06/20/1993	8120	8120	CP CN COMM FISH	C

UNIQUE IDENTIFIER	VIOLATION DATE	VIOLATION CODE	CONVICTION CODE	DESCRIPTION	DIGNO
294202	06/20/1993	8105	8105	CP CS TRAIL GILL NET	C
1334545	06/20/1993	8120	8120	CP CN COMM FISH	G
528571	06/20/1993	8120	8120	CP CN COMM FISH	G
938524	06/27/1986	8180	9180	CP LT SHPL UNL CREM	G
	07/10/1993	8120	8120	CP CN COMM FISH	C
	06/20/1993	8120	8120	CP CN COMM FISH	C
167504	07/10/1991	8120	8120	CP CN COMM FISH	C
	07/10/1993	8120	8120	CP CN COMM FISH	C
	06/20/1993	8120	8120	CP CN COMM FISH	C
1334543	06/20/1993	8120	8120	CP CN COMM FISH	C
1070595	06/20/1993	8120	8120	CP CN COMM FISH	G
370283	06/20/1993	8120	8120	CP CN COMM FISH	C
	06/20/1993	8120	8120	CP CN COMM FISH	C
	06/20/1993	8120	8120	CP CN COMM FISH	C
	06/20/1993	8120	8120	CP CN COMM FISH	C
1334702	06/20/1993	8120	8120	CP CN COMM FISH	C
131015	06/20/1993	8120	8120	CP CN COMM FISH	C
1334544	06/20/1993	8120	8120	CP CN COMM FISH	C
958903	06/20/1993	8120	8120	CP CN COMM FISH	G
	06/20/1993	8120	8120	CP CN COMM FISH	G
	06/20/1993	8120	8120	CP CN COMM FISH	G
	06/20/1993	8120	8120	CP CN COMM FISH	G
319410	06/20/1993	8120	8120	CP CN COMM FISH	C
	06/20/1993	8105	8105	CP CS TRAIL GILL NET	G
	06/20/1993	8120	8120	CP CN COMM FISH	C
	06/20/1993	8105	8105	CP CS TRAIL GILL NET	G
575211	07/02/1992	8120	8120	CP CN COMM FISH	G
	06/20/1993	8120	8120	CP CN COMM FISH	G
1180028	07/07/1990	8100	9100	CP CS CP CLOS SEASON	G
	07/05/1990	8120	8120	CP CN COMM FISH	G
	06/20/1993	8120	8120	CP CN COMM FISH	G
866651	05/22/1992	8105	8105	CP CS TRAIL GILL NET	C
	06/20/1993	8120	8120	CP CN COMM FISH	G
1101533	06/27/1988	8120	8120	CP CN COMM FISH	G
	06/20/1993	8120	8120	CP CN COMM FISH	C
925907	06/27/1984	8120	8120	CP CN COMM FISH	C

UNIQUE IDENTIFIER	VIOLATION DATE	VIOLATION CODE	CONVICTION CODE	DESCRIPTION	DISPO
	06/21/1991	8214	8214	CP FL NK GLL VT W/AD	C
	06/20/1993	8120	8120	CP CN COMM FISH	G
1334584	06/20/1993	8120	8120	CP CN COMM FISH	D
1055280	06/20/1993	8120	8120	CP CN COMM FISH	G
360531	07/10/1988	8120	8120	CP CN COMM FISH	C
	06/22/1993	8120	8120	CP CN COMM FISH	G
	06/20/1993	8120	8120	CP CN COMM FISH	G
320885	06/21/1988	8120	8120	CP CN COMM FISH	G
	06/27/1992	8120	8120	CP CN COMM FISH	C
	06/20/1993	8120	8120	CP CN COMM FISH	G
909343	06/21/1987	8100	8100	CP CS CP CLOS SEASON	C
	07/13/1987	8120	8120	CP CN COMM FISH	C
	06/27/1992	8120	8120	CP CN COMM FISH	C
	06/20/1993	8120	8120	CP CN COMM FISH	G
	06/21/1993	8120	8120	CP CN COMM FISH	G
477977	05/14/1990	8171	8171	CP MISCELLANEOUS	G
	07/03/1989	8120	8120	CP CN COMM FISH	C
	06/20/1993	8120	8120	CP CN COMM FISH	G
991860	06/20/1993	8120	8120	CP CN COMM FISH	D
611806	07/07/1987	8212	8212	CP ID FL TO HXK FOOT	C
	06/21/1988	8120	8120	CP CN COMM FISH	G
	06/20/1993	8120	8120	CP CN COMM FISH	C
710539	07/20/1992	8120	8120	CP CN COMM FISH	C
	06/29/1993	8260	8260	CP CP NET CLS TO NET	C
	06/20/1993	8120	8120	CP CN COMM FISH	C
1334517	06/20/1993	8120	8120	CP CN COMM FISH	C
92293	06/20/1993	8120	8120	CP CN COMM FISH	C
1083177	06/20/1993	8120	8120	CP CN COMM FISH	C
1083492	06/30/1989	8100	8100	CP CS CP CLOS SEASON	G
	07/09/1989	8120	8120	CP CN COMM FISH	G
	07/07/1991	8120	8120	CP CN COMM FISH	C
	06/20/1993	8120	8120	CP CN COMM FISH	C
1142050	06/28/1993	8180	8180	CP LI ENPL ENL OPEN	C
	06/21/1993	8120	8120	CP CN COMM FISH	D
	06/20/1993	8120	8120	CP CN COMM FISH	D
689987	07/08/1989	8210	8210	CP FL TO ID ADPCH	D
	06/20/1993	8120	8120	CP CN COMM FISH	D

UNIQUE IDENTIFIER	VIOLATION DATE	VIOLATION CODE	CONVICTION CODE	DESCRIPTION	DISPO
357147	06/20/1993	8120	8120	CF CM COMM FISH	D
1334573	06/20/1993	8120	8120	CF CM COMM FISH	C
1334580	06/20/1993	8120	8120	CF CM COMM FISH	C
1334509	06/21/1993	8120	8120	CF CM COMM FISH	C
1334572	06/21/1993	8120	8120	CF CM COMM FISH	C
937678	07/15/1989	8120	8120	CF CM COMM FISH	G
	06/21/1993	8120	8120	CF CM COMM FISH	C
491889	05/14/1986	8123	8123	CF CM TAKE HERRING	
	06/21/1993	8120	8120	CF CM COMM FISH	C
314947	07/03/1986	8180	8180	CF LI ENPL UNL CREW	D
	06/27/1988	8120	8120	CF CM COMM FISH	C
	06/23/1992	8120	8120	CF CM COMM FISH	C
	06/21/1993	8120	8120	CF CM COMM FISH	C
1334528	06/21/1993	8120	8120	CF CM COMM FISH	C
618192	06/27/1986	8100	8100	CF CS CF CLSD SEASON	D
	06/21/1993	8120	8120	CF CM COMM FISH	C
1334519	06/21/1993	8105	8105	CF CS TRAIL GILL NET	C
592464	06/25/1992	8120	8120	CF CM COMM FISH	D
	06/21/1993	8120	8120	CF CM COMM FISH	D
927150	06/21/1993	8120	8120	CF CM COMM FISH	C
339343	06/27/1987	8100	8100	CF CS CF CLSD SEASON	C
	07/13/1997	8120	8120	CF CM COMM FISH	C
	06/27/1992	8120	8120	CF CM COMM FISH	C
	06/20/1993	8120	8120	CF CM COMM FISH	D
	06/21/1993	8120	8120	CF CM COMM FISH	D
55007	07/06/1985	8140	8140	CF IG GENERAL	C
	06/21/1993	8120	8120	CF CM COMM FISH	C
	07/14/1993	8120	8120	CF CM COMM FISH	C
1142050	04/28/1993	8180	8180	CF LI ENPL UNL CREW	C
	06/21/1993	8120	8120	CF CM COMM FISH	D
	06/20/1993	8120	8120	CF CM COMM FISH	D
1334325	06/22/1993	8404	8404	CF LI MISCELLANEOUS	C
14894	07/06/1993	8120	8120	CF CM COMM FISH	C
	06/22/1993	8120	8120	CF CM COMM FISH	C
544244	06/22/1993	8120	8120	CF CM COMM FISH	C

UNIQUE IDENTIFIER	VIOLATION DATE	VIOLATION CODE	CONVICTION CODE	DESCRIPTION	DISPO
1234567	06/22/1993	8120	8120	CP CN COMM FISH	C
582423	07/10/1983	8151	8151	CP IG OVER LGTH VSSL	G
	06/28/1989	8120	8120	CP CN COMM FISH	G
	06/22/1993	8105	8105	CP CS TRAIL GILL NET	G
260531	07/10/1988	8120	8120	CP CN COMM FISH	G
	06/22/1993	8120	8120	CP CN COMM FISH	G
	06/20/1993	8120	8120	CP CN COMM FISH	G
1073427	06/22/1993	8120	8120	CP CN COMM FISH	C
	04/29/1993	8185	8185	CP FAIL OBT VSSL LIC	C
39132	06/24/1993	8120	8120	CP CN COMM FISH	C
33813	06/24/1993	8120	8120	CP CN COMM FISH	C
97650	07/07/1987	8180	8180	CP LI ENPL OVL CREW	C
	07/06/1990	8120	8120	CP CN COMM FISH	C
	07/13/1992	8260	8260	CP CP NET CLS TO NET	C
	06/24/1993	8120	8120	CP CN COMM FISH	C
	06/24/1993	8171	8171	CP MISCELLANEOUS	C
	07/07/1987	8180	8180	CP LI ENPL OVL CREW	C
	07/06/1990	8120	8120	CP CN COMM FISH	C
	07/13/1992	8260	8260	CP CP NET CLS TO NET	C
	06/24/1993	8120	8120	CP CN COMM FISH	C
	06/24/1993	8171	8171	CP MISCELLANEOUS	C
	305131	06/21/1988	8120	8120	CP CN COMM FISH
06/24/1993		8120	8120	CP CN COMM FISH	C
1869	06/27/1983	8120	8120	CP CN COMM FISH	G
	06/24/1993	8105	8105	CP CS TRAIL GILL NET	C
524901	07/08/1993	8120	8120	CP CN COMM FISH	C
	06/24/1993	8120	8120	CP CN COMM FISH	C
	01/04/1993	8182	8182	CP FL OBT FRYHT CPDC	G
	01/04/1993	8222	8222	CP POSS W/ST STEFISH	C
375252	07/06/1990	8120	8120	CP CN COMM FISH	C
	07/10/1992	8105	8105	CP CS TRAIL GILL NET	C
	06/24/1993	8260	8260	CP CP NET CLS TO NET	G
341845	06/24/1993	8120	8120	CP CN COMM FISH	G
472297	05/09/1989	8100	8100	CP CS CP CLSD SEASON	G
	07/11/1990	8260	8260	CP CP NET CLS TO NET	C
	06/24/1993	8260	8260	CP CP NET CLS TO NET	G
217074	07/01/1988	8120	8120	CP CN COMM FISH	G
	07/01/1988	8210	8210	CP FL TO ID ADPFRM	G
	07/09/1989	8120	8120	CP CN COMM FISH	G
	07/07/1992	8120	8120	CP CN COMM FISH	C

UNIQUE IDENTIFIER	VIOLATION DATE	VIOLATION CODE	CONVICTION CODE	DESCRIPTION	DISPO
	06/29/1992	8105	8105	CP CS TRAIL GILL NET	C
	06/24/1993	8260	8260	CP OP NET CLS TO NET	C
1041816	07/26/1987	8120	8120	CP CM COAH FISH	C
	06/25/1993	8120	8120	CP CM COAH FISH	D
1334873	06/25/1993	8120	8120	CP CM COAH FISH	C
1334874	06/25/1993	8120	8120	CP CM COAH FISH	D
134344	06/25/1993	8120	8120	CP CM COAH FISH	C
1285718	07/01/1992	8120	8120	CP CM COAH FISH	C
	06/25/1993	8120	8120	CP CM COAH FISH	C
78854	07/02/1992	8120	8120	CP CM COAH FISH	C
	06/25/1993	8120	8120	CP CM COAH FISH	C
1334875	06/22/1993	8102	8102	CP CS TRAIL GILL NET	D
	06/25/1993	8105	8105	CP CS TRAIL GILL NET	C
1082543	06/26/1993	8120	8120	CP CM COAH FISH	C
398948	06/26/1993	8120	8120	CP CM COAH FISH	C
329562	05/16/1987	8171	8171	CP MISCELLANEOUS	D
	05/10/1991	8170	8170	CP LIC FLS STR/APPL	C
	06/27/1992	8105	8105	CP CS TRAIL GILL NET	C
	06/26/1993	8120	8120	CP CM COAH FISH	D
134226	07/07/1993	8260	8260	CP OP NET CLS TO NET	C
1290856	07/03/1993	8605	8605	CM LI BY NET VIOL	C
1362780	09/11/1993	8001	8001	CM LI FLS STR/APPL	C
1283292	09/12/1993	8740	8740	CM DL TR OVER LIMIT	D
1263839	09/18/1993	8601	8601	CM LI NO LIC IN POSS	C
	09/18/1993	8604	8604	CM LI FL AFX LCK TAG	C
	09/18/1993	8601	8601	CM LI NO LIC IN POSS	C
	09/18/1993	8604	8604	CM LI FL AFX LCK TAG	C
1363844	09/23/1993	8752	8752	CM IU WASTE/FO ANIML	C
1363848	09/25/1993	8752	8752	CM IU WASTE/FO ANIML	C
1363846	09/25/1993	8752	8752	CM IU WASTE/FO ANIML	C
1363856	09/25/1993	8762	8762	CM MI TOG BRASS GN	C