

SCOMM

131:25

HOUSE COMMITTEE REPORT

Date Referred to Committee: March 24, 2004

FURTHER REFERRALS: Resources

Date of Committee Action: _____

The HOUSE SPECIAL COMMITTEE ON FISHERIES considered:

HB 458

HOUSE BILL NO. 458

SHORT-TERM COM FISHING CREWMEMBER LICENSE

"An Act relating to a one-day commercial fishing crewmember license."

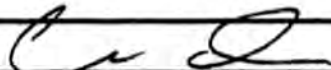
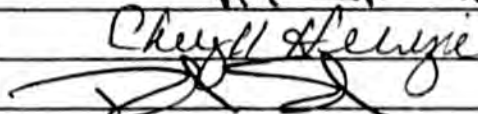
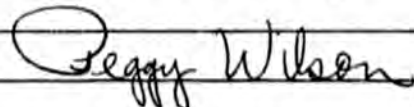
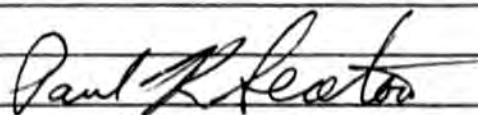
Recommends it be replaced with [] HCS or [] CS for _____ (_____)

For Senate Bills with new title: [] Technical Title [] New Title: HCR_____ [] Same Title [] New Title

- [] attach amendments
[] add new referral to _____ Committee
[] Letter of Intent _____ Committee

*List of
Abbrev
for
Depts.:*
ADM
CED
COR
CRT
EED
DEC
DFG
GOV
HSS
LEG
LAW
LWF
MVA
DNR
DPS
REV
DOT
UA

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Signing with <u>recommendations</u>		Printed Last Name	DP	DNP	NR	AM
		Cara	✓			
	AR 2011 	O'gara HEINTZE	✓			
		SAMUELS	X			
		WILSON	✓			
Chair:		SEATON	✓			
Chair:						

23-LS1591\U
Utermohle
3/31/04

CS FOR HOUSE BILL NO. 458()

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-THIRD LEGISLATURE - SECOND SESSION

BY

Offered:

Referred:

Sponsor(s): REPRESENTATIVES MOSES BY REQUEST, Wolf

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to a one-day commercial fishing crewmember license; and providing**
2 **for an effective date."**

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

4 *** Section 1.** AS 16.05.480(g) is amended to read:

5 (g) A [FOR A CREWMEMBER FISHING LICENSE ISSUED FOR
6 CALENDAR YEAR 2002 AND FOLLOWING YEARS, A] resident engaged in
7 commercial fishing who is 11 years of age or older and who does not hold an entry
8 permit or an interim-use permit shall pay a [AN ANNUAL] fee of \$60 **for an annual**
9 **crewmember fishing license.** A [. FOR A CREWMEMBER FISHING LICENSE
10 ISSUED FOR CALENDAR YEAR 2002 AND FOLLOWING YEARS, A] resident
11 engaged in commercial fishing who is less than 11 years of age and who does not hold
12 an entry permit or an interim-use permit shall pay an annual fee of \$5.

13 *** Sec. 2.** AS 16.05.480(h) is amended to read:

14 (h) A [FOR A CREWMEMBER FISHING LICENSE ISSUED FOR

1 CALENDAR YEAR 2002 AND FOLLOWING YEARS, A] nonresident engaged in
2 commercial fishing who is 11 years of age or older and who does not hold an entry
3 permit or an interim-use permit shall pay a [AN ANNUAL] base fee of \$60 for an
4 annual crewmember fishing license, plus an amount, established by the department
5 by regulation, that is as close as is practicable to the maximum allowed by law. A
6 [FOR A CREWMEMBER FISHING LICENSE ISSUED FOR CALENDAR YEAR
7 2002 AND FOLLOWING YEARS, A] nonresident engaged in commercial fishing
8 who is less than 11 years of age and who does not hold an entry permit or an interim-
9 use permit shall pay an annual base fee of \$5 plus an amount, established by the
10 department by regulation, that is as close as is practicable to the maximum allowed by
11 law.

12 * Sec. 3. AS 16.05.480 is amended by adding a new subsection to read:

13 (j) Notwithstanding (g) and (h) of this section, a resident or nonresident
14 engaged in commercial fishing who does not hold an entry permit or an interim-use
15 permit may obtain a one-day crewmember fishing license for a fee of \$30, or a three-day

16 * Sec. 4. AS 16.10.310(a) is amended to read:

17 crewmember fishing license for
18 a fee of \$50. (1)

17 (a) The department may

18 (1) make loans

19 (A) to individual commercial fishermen who have been state
20 residents for a continuous period of two years immediately preceding the date
21 of application for a loan under AS 16.10.300 - 16.10.370, who have had an
22 annual [A] crewmember or commercial fishing license under AS 16.05.480 or
23 a permit under AS 16.43 for the year immediately preceding the date of
24 application and any other two of the past five years, and who actively
25 participated in the fishery during those periods

26 (i) for the purchase of entry permits; or

27 (ii) to upgrade existing vessels and gear for the purpose
28 of improving the quality of Alaska seafood products;

29 (B) to an individual for the repair, restoration, or upgrading of
30 existing vessels and gear, for the purchase of entry permits and gear, and for
31 the construction and purchase of vessels, if the individual has been a state

1 resident for a continuous period of two years immediately preceding the date
2 of application for a loan under AS 16.10.300 - 16.10.370, and either

3 (i) because of lack of training or lack of employment
4 opportunities in the area of residence, does not have occupational
5 opportunities available other than commercial fishing; or

6 (ii) is economically dependent on commercial fishing
7 for a livelihood and for whom commercial fishing has been a traditional
8 way of life in Alaska;

9 (C) for the purchase of quota shares for fisheries in or off the
10 state by individual commercial fishermen who

11 (i) have been state residents for a continuous period of
12 two years immediately preceding the date of application for a loan
13 under AS 16.10.300 - 16.10.370;

14 (ii) for any two of the past five years, possessed an
15 annual [A] crewmember or commercial fishing license under
16 AS 16.05.480 or a permit under AS 16.43 and actively participated in a
17 fishery for which the license or permit was issued;

18 (iii) qualify as transferees for quota shares under
19 applicable law; and

20 (iv) are not eligible for financing from other recognized
21 commercial lending institutions to purchase quota shares;

22 (D) to an individual commercial fisherman to satisfy past due
23 federal tax obligations, if the fisherman has been a state resident for a
24 continuous period of two years immediately preceding the date of application
25 for the loan, has filed past and current federal tax returns with the federal
26 government, has executed an agreement with the federal government for
27 repayment of past due federal tax obligations, and either

28 (i) has had an annual [A] crewmember or commercial
29 fishing license under AS 16.05.480 or a permit under AS 16.43 for the
30 year immediately preceding the date of application and any other two
31 of the past five years, and has actively participated in the fishery during

1 those periods;

2 (ii) because of lack of training or lack of employment
3 opportunities in the area of residence, does not have occupational
4 opportunities available other than commercial fishing; or

5 (iii) is economically dependent on commercial fishing
6 for a livelihood and for whom commercial fishing has been a traditional
7 way of life in Alaska;

8 (2) designate agents and delegate its powers to them as necessary;

9 (3) adopt regulations necessary to carry out the provisions of
10 AS 16.10.300 - 16.10.370, including regulations to establish reasonable fees for
11 services provided;

12 (4) establish amortization plans for repayment of loans, which may
13 include extensions for poor fishing seasons or for adverse market conditions for
14 Alaska products;

15 (5) enter into agreements with private lending institutions, other state
16 agencies, or agencies of the federal government to carry out the purposes of
17 AS 16.10.300 - 16.10.370;

18 (6) enter into agreements with other agencies or organizations to create
19 an outreach program to make loans under AS 16.10.300 - 16.10.370 in rural areas of
20 the state;

21 (7) allow an assumption of a loan if

22 (A) the applicant has been a state resident for a continuous
23 period of two years immediately preceding the date of the request for an
24 assumption; and

25 (B) approval of the assumption would be consistent with the
26 purposes of AS 16.10.300; an applicant for a loan assumption may not be
27 disqualified because the applicant does not meet the loan eligibility
28 requirements of (1) of this subsection;

29 (8) prequalify loan applicants for a limited entry permit loan or a quota
30 shares loan and charge a fee not to exceed \$200 for prequalification;

31 (9) charge and collect the fees established under this subsection;

1 (10) refinance a debt obligation incurred by a borrower or borrowers
2 under this section if the borrower or borrowers otherwise qualify for a loan under
3 AS 16.10.300 - 16.10.370;

4 (11) refinance debt obligations, not to exceed \$300,000, incurred by a
5 borrower or borrowers for the purchase of a commercial fishing vessel or gear if the
6 borrower or borrowers otherwise qualify for a loan under AS 16.10.300 - 16.10.370;
7 the department may collect a refinancing loan origination charge as provided by
8 regulation.

9 * Sec. 5. This Act takes effect ~~January 1, 2005.~~

July 1st, 2004

* * Sec. 5. the department may charge
unmodified or - an additional administrative fee
AS 16.05.480 of \$3 per one or three-day
Crew member fishing license ~~for~~ until Dec. 31st
2004.

Representative Carl E. Moses, House District 37
(907) 465-4451 – Adam Berg, Staff

SPONSOR STATEMENT / SECTIONAL ANALYSIS

HB458 – One-Day Commercial Fishing Crewmember License

The economic health of certain communities and regions of Western Alaska have been jeopardized by unprecedented low salmon returns and prices. These low returns have particularly impacted commercial salmon fishermen in those regions. It is in the best interest of the State of Alaska and these communities to maximize options available to those fishermen to earn a living. One option available is to allow the purchase of one-day commercial fishing crewmember licenses. This would allow visitors an affordable way to engage in a sort of extreme tourism adventure by actually participating in the fishery as a crewmember.

Tourists can currently go out with a commercial boat but cannot have any form of active participation without buying a full year crewmember license.

BILL SECTIONS 1-2: Changes the term from a "crewmember fishing license" to an "annual crewmember fishing license". (Note: The reason for the term change applies to Bill Section 4.)

BILL SECTION 3: Allows residents and non-residents to purchase a one-day commercial fishing crewmember license for \$30.

BILL SECTION 4: Assures that a one-day license holder is not considered a fisherman eligible for the Commercial Fishing Revolving Loan Fund.

BILL SECTION 5: Changes the definition of "fisherman" to assure one-day license holders do not qualify for the Fisherman's Fund

SPONSOR STATEMENT / SECTIONAL



UNITED FISHERMEN OF ALASKA

211 Fourth Street, Suite 110
Juneau, Alaska 99801-1172
(907) 586-2820
(907) 463-2545 Fax
E-Mail: ufa@ufa-fish.org
www.ufa-fish.org

March 11, 2004

Representative Tom Anderson, Chair
House Committee on Labor and Commerce
Alaska State Legislature
State Capitol (Mail Stop 3100)
Juneau, AK 99801-1182

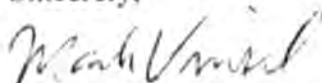
Dear Chairman Anderson,

United Fishermen of Alaska supports HB 458 relating to a one-day commercial fishing crewmember license. This bill would provide the flexibility for commercial fishermen to take out a guest or client for a single day without requiring the full year crew license. Many tourists and visiting family members of fishermen are interested in seeing for themselves and taking part in the rich tradition of commercial fishing in Alaska. Allowing the option of a one day crew license would provide this excellent opportunity for them to gain an appreciation for Alaska's well-managed fisheries, while bringing an additional possible source of income for fishermen. This would be an excellent new and innovative way to market Alaska's fish.

We also believe that the revenue from the one day crew license would likely offset the costs incurred in establishing the program. We do not expect that professional crew members would consider this as an alternative to their normal full year crew license.

United Fishermen of Alaska represents 32 Alaska Commercial fishing organizations and hundreds of individual fishermen and fishing related businesses, altogether representing over 10,000 Alaska fishermen. We support HB 458 and thank you for your consideration on this matter.

Sincerely,


Mark Vinsel
Executive Director

CC: Representative Carl Moses

MEMBER ORGANIZATIONS

Alaska Crab Coalition • Alaska Druggers Association • Alaska Longline Fishermen's Association • Alaska Trollers Association • Armstrong Keta • At-sea Processors Association
Bristol Bay Reserve • Chignik Regional Aquaculture Association • Chignik Seiners Association • Concerned Area "M" Fishermen • Cordova District Fishermen United
Crab Rationalization and Buyback Group • Douglas Island Pink and Chum • Groundfish Forum • Kenai Peninsula Fishermen's Association • Kodiak Regional Aquaculture Association
Kodiak Seiners Association • North Pacific Fisheries Association • Northern Pacific Scallop Cooperative • Northern Southeast Regional Aquaculture Association
Old Harbor Fishermen's Association • Petersburg Vessel Owners Association • Prince William Sound Aquaculture Corporation • Purse Seine Vessel Owners Association
Seafood Producers Cooperative • Southeast Alaska Regional Dive • Southeast Alaska Fishermen's Association • Southeast Alaska Regional Aquaculture Association
United Catcher Boats • United Salmon Association • Valdez Fisheries Development Association • Western Gulf of Alaska Fishermen