

ALASKA LEGISLATURE SPECIAL COMMITTEE / SUBJECT FILES 8672

557 SCOMM17: JOINT INTERIM COMM. ON LIMITED ENTRY 1979

SCOMM 17: JOINT INTERIM COMMITTEE ON LIMITED ENTRY, 1979
LIST OF FILES (PAGE 1)

NOTES AND INFORMATION:

Membership of Committee:

Rep. Terry Gardiner
Rep. Margaret Branson
Sen. Bill Sumner
Sen. Bob Mulcahy
Sen. John Sackett

Committee was established by ch. 51, SLA 1979.

FILES:

1. HB 141 AND HB 142 (1979) - ESTABLISHING LIMITED ENTRY COMMITTEE, APPROPRIATION FOR...
2. 1980 - LIMITED ENTRY READING FILE AND CORRESPONDENCE
3. TRANSCRIPTION FROM: THE LIMITED ENTRY STUDY GROUP COMMITTEE MEETING, DEC. 12, 1979, ANCHORAGE
4. MEMORANDUM TO NELS ANDERSON FROM COMMERCIAL FISHERIES ENTRY COMMISSION. SUBJECT: HB 665...
2/25/80
5. "BEFORE A LEGISLATIVE COMMITTEE OF THE...LEGISLATURE." TESTIMONY OF FREDERICK PAUL. APRIL 16, 1979.
6. KOSLOW, J.A. "LIMITED ENTRY POLICY AND THE BRISTOL BAY, ALASKA SALMON FISHERMAN..." JAN., 1980. 56P.
- KOSLOW, J.A. "SOCIOLOGICAL STUDY OF LIMITED ENTRY IN THE BRISTOL BAY SALMON FISHERY: A PRELIMINARY REPORT...1979"
7. KREINHEDER, J. "AN ANALYSIS OF THE LEGISLATIVE OPTIONS UNDER CONSIDERATION BY THE LIMITED ENTRY STUDY GROUP." 12/10/79. 14P.
8. LANGDON, S. "TRANSFER PATTERNS IN ALASKAN LIMITED ENTRY FISHERIES." FINAL REPORT FOR LIMITED ENTRY STUDY GROUP. 1/17/80. 154P.
- _____. WORKING DRAFT. 1/7/80.
- _____. PRELIMINARY DRAFT. 10/15/79
9. MCCORKLE, P. "FISHERIES MANAGEMENT IN ALASKA--A COMPARISON." 12/6/79.
10. POPE, D. "THE FRESHWATER SALMON FISHERIES..." 2/22/80
- _____. INTERIM REPORT. 10/22/79

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11. ROGERS, G.W. AND J. KREINHEDER.
"SOCIOECONOMIC ANALYSIS FOR FISHERY AREAS AND
CENSUS DIVISION." 1/21/80
- _____. (GRAPH) "UNITS OF GEAR FISHED BY FISHERY
AND RESIDENCE OF OPERATOR, 1969-1976.
12. ROGERS, G.W. "ECONOMIC HARDSHIP--DEFINITION
AND MEASUREMENT." 12/4/79.
13. ROGERS, G.W. AND J. KREINHEDER.
"SOCIOECONOMIC DATA BASE FOR FISHERY AREAS AND
CENSUS DIVISIONS." 10/2/79
14. MEMO TO E. ANAGICK, LIMITED ENTRY STUDY GROUP
FROM A.M. GROSS, BY J.K. TILLINGHAST. SUBJECT:
PROPOSALS TO AMEND LIMITED ENTRY ACT. 9/6/79.
15. COMMERCIAL FISHERIES COMMISSION. ANNUAL
REPORT. 1975-1978.
- _____. "COSTS AND EARNINGS OF ALASKAN FISHING
VESSELS--AN ECONOMIC SURVEY." 9/10/74.
- _____. "PROPOSED REGULATIONS LIMITED ENTRY; REPORT
TO THE FISHERMEN OF ALASKA." 7/15/74.
- _____. "REPORT TO THE LEGISLATURE ON ENTRY PERMIT
TRANSFERS." 1/15/75
16. BAKER, J. AND B. MUSE, COMMERCIAL FISHERIES
ENTRY COMMISSION. "SUMMARY OF COST AND NET RETURN
INFORMATION FOR THE COOK INLET DRIFT GILL NET
FISHERY." AUG., 1978. 24P.
- _____. "...PRINCE WILLIAM SOUND DRIFT GILLNET
FISHERY." DEC., 1978. 26P.
- _____. "...BRISTOL BAY DRIFT GILLNET FISHERY."
FEB., 1979. 29P.
17. CICIN-SAIN, B., ET AL. "MANAGEMENT APPROACHES
FOR MARINE FISHERIES..." JAN., 1977. 223P.
18. COMMERCIAL FISHERIES ENTRY COMMISSION.
"PARTICIPATION IN THE COMMERCIAL SALMON FISHERIES
OF THE UPPER YUKON." 1/24/80. 15P.
19. MEMO TO LIMITED ENTRY STEERING COMMITTEE FROM
D.S. JACKMAN. "LIMITED ENTRY PROPOSALS RECEIVED
FROM THE STUDY GROUP." 12/19/72.
- _____. "INTERIM REPORT." 12/19/72

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20. MEMO TO H.A. RED BOUCHER, LT. GOV., FROM M.R. PETERSON. "LIMITED ENTRY REGULATIONS." 11/18/74. 34+P.

21. HB 126 - HOUSE RESOURCES COMMITTEE. 1/29/73
TRANSCRIPT. 103P.

22. SB 39 - LIMITED ENTRY SPECIAL COMMITTEE ON
FISHERIES. 1/24/73. 49P.

23. LIMITED ENTRY SYMPOSIUM, NAKNEK, 10/12/78.
31P.

24. TRANSCRIPT, ILIAMNA. 1978. 102P.

25. LIMITED ENTRY SYMPOSIUMS. FINAL REPORT. N.D.

26. J. WILLIAMS, LAA. "LIMITED ENTRY SYMPOSIUMS
IN BRISTOL BAY." 10/16/78. (TO ANDERSON) 3P.

_____. "COOK INLET LIMITED ENTRY PERMITS."
3/5/79, PLUS ATTACHMENTS.

27. DIVISION OF LEGISLATIVE AUDIT. "A
PERFORMANCE REVIEW OF THE OFFICE OF THE GOVERNOR
COMMERCIAL FISHERIES ENTRY COMMISSION...MAY 15,
1979." 35 WITH ADDITIONAL PAGES.

SCOMM

#171

LIMITED ENTRY
(JOINT Interim Committee)

Members: Rep. Nels A. Anderson, Jr., CHAIRMAN

Rep. Terry Gardiner
Rep. Margaret Branson
Sen. Bill Sumner
Sen. Bob Mulcahy
Sen. John C. Sackett

Office: Room 521, State Capitol
Juneau, Alaska 99811 (Mail: Pouch V)

Phone: 465-4916
465-3884

Staff: Ella Anagick
Pat McCorcle

Introduced: 2/6/79
Referred: Resources and
Finance

1 IN THE HOUSE

BY THE RESOURCES COMMITTEE

2 HOUSE BILL NO. 141

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 ELEVENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act establishing the Legislative Limited Entry
7 Study Committee; and providing for an effective date."

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

9 * Section 1. (a) There is established as a special committee of the
10 legislature the Legislative Limited Entry Study Committee. The committee is
11 composed of the following members:

12 (1) three members of the house of representatives appointed by the
13 speaker of the house;

14 (2) three members of the senate appointed by the president of the
15 senate.

16 (b) The purpose of the Legislative Limited Entry Study Committee is to
17 complete a legal, social, and economic review of Alaska's experience with
18 limited entry in common property fisheries, and to report its findings to the
19 Second Session, Eleventh Alaska Legislature.

20 * Sec. 2. This Act takes effect immediately in accordance with AS 01.10.-
21 070(c).

Funding Information
General Fund \$125,000
Other Funds -0-
\$125,000

Introduced: 2/6/79
Referred: Resources and
Finance

1 IN THE HOUSE

BY THE RESOURCES COMMITTEE

2 HOUSE BILL NO. 142

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 ELEVENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act making a special appropriation to the Legisla-
7 tive Affairs Agency for the Limited Entry Study Commit-
8 tee; and providing for an effective date."

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

10 * Section 1. (a) The sum of \$125,000 is appropriated from the general
11 fund to the Legislative Affairs Agency for the expenses of the Legislative
12 Limited Entry Study Committee.

13 * Sec. 2. The unexpended and unobligated portion of this appropriation
14 lapses into the general fund June 30, 1980.

15 * Sec. 3. This Act takes effect upon the effective date of a version of
16 an Act entitled "An Act establishing the Legislative Limited Entry Study
17 Committee; and providing for an effective date."

LIMITED ENTRY STUDY GROUP

BUDGET

Staff Director	(\$3,000/month, 8 months).....	\$24,000
Support Staff	(\$1,800/month, 8 months).....	\$14,400
Travel		\$20,000
Contractual		\$60,000
Misc.		\$ 6,600
		<u>\$125,000</u>

Study group is a legislative special committee consisting of 6 members: 3 appointed by the Speaker of the House; 3 appointed by the President of the Senate.

Committee staff to be located in legislative office space in Juneau.

SPECIAL LEGISLATIVE LIMITED ENTRY STUDY COMMITTEE

PURPOSE--PLAN OF WORK

The overall goal of the special legislative committee on limited entry is to recommend changes to the limited entry law which would improve the present system of commercial fisheries entry limitation. It is evident that the people of Alaska still want the program and that the intended impact is being realized; but there exists a need for the regulatory structure to better fit the actual circumstances and conditions inherent to Alaska's fisheries.

There are particular aspects of the present system which have aroused special concerns; the rapidly increasing value of permits beyond the purchasing of financing power of many Alaskans; the inability of many resident Alaskans to enter the salmon fisheries while substantial numbers of non-residents remain and continue to enter the fisheries; and the administrative burdens realized both by fishermen and the state in implementing the present limited entry schemes. While it is our intent to encourage a full scale reexamination of the Alaska limited entry system the strengths of our existing limited entry system such as intra-family transferrability provisions and the maintenance of equal opportunity to enter commercial fishing are very important to retain. The committee should look specifically at the problem areas previously mentioned, and to the greatest extent possible attempt to design a program which has the flexibility to adapt to the varied circumstances present in the various regions of Alaska. Lastly, any recommendation for changes to the limited entry system must be thoroughly, legally researched to be defensible in court.

The budget of the special committee is designed to minimize the costs of this investigation. The committee should take advantage of existing expertise in the Commercial Fisheries Entry Commission, the Alaska Department of Fish and Game, the Legislative Affairs Agency, and the Department of Commerce and Economic Development. Detailed legal analysis and related needs should be arranged through contracts.

Rep. Anderson

SPECIAL LEGISLATIVE LIMITED ENTRY STUDY COMMITTEE

PURPOSE--PLAN OF WORK

The overall goal of the special legislative committee on limited entry is to recommend changes to the limited entry law which would improve the present system of commercial fisheries entry limitation. It is evident that the people of Alaska still want the program and that the intended impact is being realized; but there exists a need for the regulatory structure to better fit the actual circumstances and conditions inherent to Alaska's fisheries.

There are particular aspects of the present system which have aroused special concerns; namely the rapidly increasing value of permits and the administrative burdens realized both by fishermen and the state in implementing the present limited entry schemes. While it is our intent to encourage a full scale reexamination of the Alaska limited entry system, we are mindful of the importance of the inter-family transferrability provisions, the maintenance of equal opportunity to enter commercial fishing, the importance of achieving to the greatest extent possible a resident Alaskan fishing industry, and the necessity of maintaining a legally defensible program. We will look specifically at the problem areas previously mentioned, and will to the greatest extent possible attempt to design a program which has the flexibility to adapt to the varied circumstances present in the various regions of Alaska.

We have prepared the budget of the special committee so as to minimize the costs of this investigation. We fully intend to take advantage of existing expertise in the Commercial Fisheries Entry Commission, the Alaska Department of Fish and Game, the Legislative Affairs Agency, and the Department of Commerce and Economic Development. Detailed legal analysis and related needs will be arranged through contracts.

JW:dh

LAW OFFICES OF
ALASKA LEGAL SERVICES CORPORATION

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

March 5, 1979

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

Dear Representative Osterback:

I would like to comment on two bills before the House Resources Committee dealing with the Limited Entry legislation and problems relating thereto, namely: HB 290 and HB 141, and urge passage of these bills.

First, HB 141 is perhaps the most important of the Limited Entry bills before the legislature in view of problems I see developing with the system, the major problem being the high price of permits which eventually will lead, in my opinion, to a system where permits are controlled by speculators and those people with money, while those people traditionally reliant on fishing for their livelihoods will be disenfranchized from the only occupation they know. In one village in Bristol Bay alone, for example, four permits have already been sold to people residing outside of the Bay area.

While the state continually proposes more liberal loan programs to purchase permits, even to the extent of using the permit itself as collateral, I don't believe that this is the answer. Alternative systems ought to be investigated in depth before so much money has been invested in permits that it is too late, even for the legislature, to change the system. When the state sold the limited entry program to the people in 1975 the problem of the young fisherman getting into the fishery was repeatedly raised. The State's answer to the people was to get the program implemented and change it at a later time. That time has come. I urge passage of HB 141.

With respect to HB 290, I recognize the inequities of the system to those fishermen who have fished various administrative areas yet do not have sufficient pointage in any one area to qualify for a permit. HB 290 appears to be the equitable solution to that problem. While I don't believe HB 290 will benefit clients served by this office, as most fishermen we serve fish only in Bristol Bay, I realize that other areas of the state differ. I would therefore, support such legislation.

rec'd 3/9/79

Representative Alvin Osterback
March 5, 1979
Page Two

Reviewing HB 290, however, seems to pose a possible problem which calls for another legislative solution, that being the problem with late applications. Would a fisherman have had to apply for permits in all administrative areas in order to cumulate points from that area under the proposed HB 290? If so, some fishermen who did not apply in certain administrative areas would not be allowed to cumulate those points. How about other fishermen who may not have applied in any administrative area due to insufficiency of points, yet under HB 290 could perhaps have cumulated enough points to get a permit in one area? Would they be allowed to benefit from HB 290 because they did not apply in the first place?

It would appear that HB 290 should be coupled with a legislative solution to the late application problem, which is particularly acute in the villages of the Bristol Bay and AYK areas. This office has failed in our attempt to achieve a judicial solution to this problem favorable to our clients and we ask for a legislative solution. While the Entry Commission may not necessarily agree, the major reason the problem is so acute in Bristol Bay and the AYK areas is because of the language and cultural differences of the people, and their lack of understanding of the system when it was first implemented.

Other than administrative problems attendant with a new application period, I can foresee two possible objections raised by the Commission for accepting late applications. First, the Commission may argue that they will have to issue more permits and thereby further exceed the maximum numbers initially established, and perhaps even threaten the fishery resource as a result. While it is true that maximum numbers would be further exceeded, these numbers are not etched in concrete and will eventually be revised either up or down when optimum numbers are established. I cannot see any threat to the fishery resource as Limited Entry, in my opinion, is only tangentially related to conservation purposes, that being with regard to easing the effect of errors in management of the resource by the Department of Fish and Game. Limited Entry is primarily an economic regulatory program which insures sufficient incomes for those people in the fishery to upgrade their vessels.

A late application bill would subject the applicants thereunder to the same point system as everyone else was subjected to. If the late applicant could not prove sufficient pointage then the applicant would simply not receive a permit.

Secondly, the Commission may further oppose a legislative solution to the late application problem particularly with respect to the set net fishery in Bristol Bay because permits are awarded at the zero (0) point level and because set net fishermen in Bristol Bay have begun what is called "leap frogging." There are two possible solutions to these problems. First, the Fish and Game Board could regulate against "leap frogging" so no matter how many set net permits were issued by the Commission there would be a natural limitation of fishermen by the numbers of sites available. Secondly, since the Commission lowered the point level at which permits would issue based upon the number of applications received, issuance of permits to late applicants could be restricted to those fisherpeople who achieve point levels on their applications within the top 813 applicants--the maximum number established by the Commission for the Bristol Bay set net fishery. For example, if the point level at which permits were issued to the highest-pointed 813 set net permit holders was 6 points, the denial level at which permits would initially be established would be 5 points, and the point level at which permits would issue would increase depending on the number of applications received during the application period. Only those late applicants, therefore, within the top 813 on the point scale would be issued permits.

Even though the Entry Commission has established interpretive regulations whereby some applicants who failed to file their applications timely can still get their applications accepted by the Commission and adjudicated under the point system, the restrictive interpretation of the regulations benefit only those people who can establish that they mailed their applications timely which was lost in the mail, or that they were ill-advised about the program by the Commission or its agents which directly caused that person not to submit an application. These regulations do not benefit Roy White of Egegik who returned in 1977 from four years of service in the Navy to find out that he could not fish anymore as a gear license holder; or William Wilson of Naknek who was released from jail in the fall of 1975 to learn the same; or those people who were away at school during the application period; or even those who simply did not plan to fish in 1975 in Bristol Bay because of poor predictions and did not understand nor had explained to them the difference between a permit and a gear license, the latter which was traditionally purchased on a year to year basis if that person planned to fish that year.

In summary, I strongly support HB 141 as the most important Limited Entry bill thus far proposed. In addition, recognizing the inequities of the system to fishermen who have

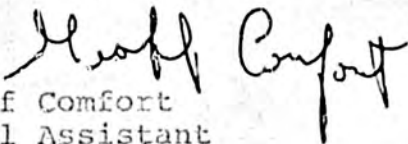
Alvin Osterback
March 5, 1979
Page Four

fished more than one administrative area yet cannot qualify for permits in any area, I support HB 290. I would, however, strongly urge a legislative resolution to the late application problem here in Bristol Bay.

I am available to more fully explain my views at your request.

Sincerely,

ALASKA LEGAL SERVICES CORP.


Geoff Comfort
Legal Assistant

CC:ilk

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

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

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

House Resource Committee Members
Fred Zharoff
Samuel Coiten
Chat Chatterton
Richard Eliason

SCOMM

#17:2

STATE OF ALASKA

File
JAY S. HAMMOND, GOVERNOR

DEPARTMENT OF FISH AND GAME

OFFICE OF THE COMMISSIONER

SUBPORT BUILDING
JUNEAU, ALASKA 99801

March 14, 1980

The Honorable Nels Anderson, Jr.
State House of Representatives
Pouch V, State Capitol
Juneau, Alaska 99811

Dear Nels:

Your letter of February 8 and Dr. George Rogers' analysis of January 22 speak primarily to a problem that has long plagued our Department--timely and accurate processing of fish tickets. We recognize the need both by our fisheries managers and by the Commercial Fisheries Entry Commission as well as the general public to obtain accurate catch and effort data from the fish tickets soon enough after the season to be useful to all parties. Additionally we recognize the need to clean up our historical files and make accurate historical catch and effort data available. Certainly our managers could make very good use of such comparative information to plan their management during the fishing season.

Over the years several approaches to this problem have been tried, all of which suffered from a lack of funding and personnel. Recently we determined that the only way to make the system work was to make those most familiar with the fishery and the documents responsible for the data entry and the editing of these documents. Accordingly, about two years ago we combined capital funding from the Legislature with contractual funding taken from our operating budget on a priority basis to purchase minicomputers for the Juneau, Anchorage, and Kodiak regional offices. We also placed Data Processing as a priority for new funding requests and, at some cost to other programs, funded Data Entry positions in the regional offices and a Systems Analyst II position to monitor system development in the Juneau Headquarters. The North Pacific Fishery Management Council also recognized the need for this information to support their developing fisheries management plans. They contracted with the Department to develop this system over a two year period and, in addition, to edit the historical fish ticket base.

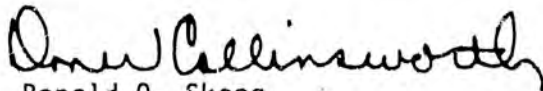
This has not been an easy process and there have been a number of problems in implementing the system. Nevertheless, it appears that we are on top of the problem and in fact will have the 1978 data file finalized shortly and 1979 data finished by late this summer. We expect final 1980 salmon and shellfish data to be available by January or February of 1981. We also anticipate as part of the Council contract that we will have the historical data files back to 1969 cleared up by June 1981.

March 14, 1980

Giving the fish ticket system a priority our Computer Services Section has fallen drastically behind in verifying and publishing catch and production statistics and in filling special data requests. Even when the new fish ticket system is completed it does not appear that the personnel that currently exist in the system will be able to keep up with these other workloads. The Administration FY 81 budget request contains funding for a Programmer IV to start getting our groundfish catch data processing in order in anticipation of the expected explosion in this fishery. A Clerk Typist III is also included to help support this effort. We expect that after the system is developed the Programmer would continue to work on the overall fish ticket system maintenance. The Clerk Typist initially would be able to assist us on some of the Section's general informational requests, although at some future time, as the groundfish fishery picks up, an additional clerical position will probably be necessary.

It is not anticipated that the additional staff in the budget will take care of the long range problems of the data processing for fish and game resources, or that they will even enable us to keep up with the requirements being placed on us by day to day requests for production data. The Department and the Commercial Fisheries Entry Commission have entered into a discussion of what would be required to resolve this problem. It is anticipated that a report will be made available to the Legislature at some time during this session on the findings of our joint technical staffs.

Sincerely,



Ronald O. Skoog
Commissioner

for

5/15/79-6/30/80

Wils Anderson

WORKING BUDGET - F. Y. 1980
Legislative Affairs Agency
Legislative Council, Subcommittees, and Commissions

<u>Item</u>	<u>Budget</u>	<u>Expenditures</u>	<u>Encumbrances</u>	<u>Balance Available</u>	<u>%</u>
LIMITED ENTRY - 631	160,951				
Personal Services (JV 801153)	39	23,586			
1979 Retro	147				
Travel		11,695			
Contractual		68,205	28,403		
Commodities		38			
TOTAL Limited Entry	161,137	103,524	28,403	29,210	18

DEPARTMENT LEGISLATIVE AFFAIRS

PROGRAM LEGIS & ELECT OPERAT PAGE 2402

DIVISION OPERATIONS

MONTHLY EXPENDITURE JOURNAL R03-72B-2100

03/31/80

DOCUMENT	DESCRIPTION	REFERENCE	TXN	COLLOC	OBJ REC ACT PROJ WARRANT DAY	AUTHORIZATION	ENCUMBRANCES	EXPENDITURE
~~JV802893~~	~~CLOSE INTERIM COMMITTEES~~	110	31921630	000	26	1,641.00		
JV802881	1979 RETRO	110	31921631	100	26	147.00		
PR030680		360	31921631	111	07			120.06
PR030680		360	31921631	181	07			7.36
PR030680		360	31921631	182	07			14.70
PR030680		360	31921631	184	07			84
PR030680		360	31921631	186	07			3.72
FW408164	030380ELLA ANAGICK	362	31921631	211	06			19.70
TR007786	TRAVEL REFUND	363	31921631	211	03			110.00-
TR008292	TRAVEL REFUND	363	31921631	211	17			16.92-
FW408213	031080ERIC ECKHOLM	362	31921631	212	20			126.00
V3100071	022580DOUGLAS POPE	361	31921631	389	259119 10			3,281.94
V3100096	030580DOUGLAS POPE	361	31921631	389	258970 10			671.06
V3100096	030580DOUGLAS POPE	361	31921631	389	258970 10			2,600.52
V3100096	030580DOUGLAS POPE	361	31921631	389	258970 10			837.60-

THE UNIVERSITY OF BRITISH COLUMBIA

VANCOUVER, B.C., CANADA
V6T 1W5

6303 N.W. MARINE DRIVE
UNIVERSITY CAMPUS
VANCOUVER, B.C. V6T 2B2

DEPARTMENT OF
ANTHROPOLOGY AND SOCIOLOGY

April 29, 1980

Legislative Affairs Agency
Pouch V
Juneau, Alaska 99811 USA

Dear Sir or Madam:

I am conducting research on government policy related to British Columbia fisheries, and would very much appreciate receiving two reports on your own fishery.

- 1) Steve Langdon, Transfer Patterns in Alaska Limited Entry Fisheries
- 2) Daughtery and Orth, Multinational Investment in Alaska Fishery

Please let me know of any expense involved in obtaining these publications.

Thank you very much.

Sincerely yours,

Evelyn Pinkerton

Evelyn Pinkerton

5/8/1980 - Sent info. to Evelyn Pinkerton.

Alaska State Legislature

REPRESENTATIVE
NELS A. ANDERSON, JR.
BOX 234
DILLINGHAM, ALASKA 99576
HOME PHONE 842-5302

WHILE IN JUNEAU
POUCH V
JUNEAU, ALASKA 99811
PHONE 465-3738 OR 3739
HOME PHONE 789-7897



REPRESENTING DISTRICT 16
BRISTOL BAY — LOWER KUSKOKWIM

HOUSE MAJORITY LEADER
VICE CHAIRMAN JUDICIARY COMMITTEE
MEMBER, RULES COMMITTEE
MEMBER, SPECIAL COMMITTEE
ON SUBSISTENCE

House of Representatives

May 5, 1980

MEMORANDUM

TO: Sharon Sturrock
Administrative Services
Legislative Affairs Agency

FROM: Representative Nels A. Anderson, Jr.

Attached are two bills, one from Arthur Young & Company and the other from the Snowshoe Messenger. Please pay these from the Limited Entry Account.

ARTHUR YOUNG & COMPANY

2100 THE FINANCIAL CENTER
SEATTLE, WASHINGTON 98161

April 8, 1980

Representative Nels Anderson
c/o Dave Grey
Pouch V
Juneau, Alaska 99811

For professional services rendered
in connection with the Alaska
Rural Energy Subsidy Study for
the period January 15, 1980 through
March 15, 1980.

Fees

Sitkin	27 hours @ \$70.00	\$1,890.00	
O'Brien	1 hour	15.00	
Total Fees:			\$1,905.00

Expenses

Telephone	\$ 73.00	
Printing	170.00	
Per Diem @ \$55/day	220.00	
Local Transportation	80.00	
Air Fare @ coach (allocated)	205.00	
Total Expenses:		\$ 748.00
TOTAL BILL:		<u>\$2,653.00</u>

LEGISLATIVE AFFAIRS AGENCY

MEMORANDUM

January 24, 1980

To: Rep. Nels A. Anderson, Jr.

From: Lynn Ager, Spec. Assistant to Myrt Charney

Enclosed for your records is the signed amendment to your contract with Dr. George Rogers. This amendment deletes the late penalty paragraph. Please let me know if I can be of further assistance.

*file
limited
entry*

AMENDMENT NO. 1

CONTRACT BETWEEN

STATE OF ALASKA - LEGISLATIVE AFFAIRS AGENCY

AND

GEORGE ROGERS
1790 Evergreen Avenue
Juneau, Alaska 99801

IT IS MUTUALLY AGREED THAT THE CONTRACT BETWEEN THE ABOVE PARTIES
DATED SEPTEMBER 20, 1979, IS HEREBY AMENDED AS FOLLOWS:

CLAUSE III, page 2 is amended to read:

CLAUSE III - COMPENSATION AND METHOD OF PAYMENT

- (A) The Contractor shall be paid at the rate of \$27.00 per hour for work specified in Clause I of this agreement. Total compensation under this agreement shall not exceed \$10,000 (Ten Thousand Dollars), inclusive of all expenses.
- (B) Billing for work performed under this agreement shall be submitted to the Project Director with the written report described in Clause I.
- (C) Office space, equipment and clerical support necessary to carry out the obligations of the Contractor under this agreement shall be supplied by the Contractor at no cost to the agency.
- (D) Any travel and per diem expenses incurred by the Contractor in carrying out the obligations of the Contractor under this agreement shall be paid by the Contractor at no additional cost to the agency.

IN WITNESS WHEREOF, the parties have executed this amendment to this agreement on the dates indicated.

CONTRACTOR

LEGISLATIVE AFFAIRS AGENCY

George Rogers 1/23/80
GEORGE ROGERS Date
IRS Ident. No. 556-01-7815

M.R. Charney
M.R. CHARNEY Date
Executive Director

Accepted:

Approved as to form:

Nels A. Anderson
Rep. Nels A. Anderson Date
Chairman, Joint Interim Committee
on Limited Entry

Billy G. Berrier Jan 23, 1980
Billy G. Berrier Date
Agency Legal Counsel

Alaska State Legislature



REPRESENTATIVE
NELS A. ANDERSON, JR.
BOX 234
DILLINGHAM, ALASKA 99576
HOME PHONE 842-5302

WHILE IN JUNEAU
POUCH V
JUNEAU, ALASKA 99811
PHONE 465-3738 OR 3739
HOME PHONE 789-7897

House of Representatives

April 17, 1980

MEMORANDUM

TO: Jan Quinn
FROM: Rep. Nels A. Anderson, Jr.

I did give authorization for John Sackett's travel to Nulato to be charged to the Limited Entry Study Group account and any expenses he may have had while on that trip.

Alaska State Legislature

L.E. file

HOME ADDRESS
P.O. BOX 65
GALENA, ALASKA 99741

WHILE IN JUNEAU
POUCH, V
JUNEAU, ALASKA 99811
TELEPHONE 465-3713



Senate

SENATOR
John C. Sackett
CHAIRMAN
SENATE FINANCE COMMITTEE
MEMBER
LABOR & MANAGEMENT COMMITTEE

May 8, 1979

Hon. Nels Anderson
Alaska House of Representatives
Pouch V
Juneau, Alaska
99811

Dear Nels:

The fiscal note for HB 141 includes \$40,000. requested by me for a fresh water fishery study. Doug Pope will be responsible for the contractual work with myself as the project director. We plan to focus primarily on the upper Yukon, but we would welcome any suggestions from you regarding other regions and scope of work.

Sincerely,

A handwritten signature in cursive script that reads "John C. Sackett".

John C. Sackett



UNITED FISHERMEN OF ALASKA

MAILING ADDRESS & OFFICE:

197 SOUTH FRANKLIN ST.
JUNEAU, ALASKA 99801
907 586-2820

October 31, 1979

Representative Nels Anderson
Chairman, Limited Entry Interim Committee
Pouch V
Juneau, Alaska 99801

Dear Representative Anderson:

I wanted to take this opportunity to thank you for allowing United Fishermen of Alaska's input at the last meeting of the Limited Entry Interim Committee which was held October 23, in Juneau.

I was also pleased to see that you have directed your staff to research several different possibilities which would alleviate the existing problems with limited entry.

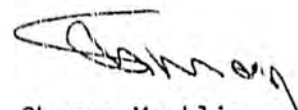
After discussing the apprenticeship program presented at the meeting with several fishermen it became apparent that it would be least acceptable to our members. Problems with limiting transferability and changing from one fishery to another are a few unacceptable areas. Thus we encourage further exploration of different forms.

Although U.F.A. does not have a particular plan which we are currently supporting we hope to be able to focus on an equitable solution soon. Areas which we feel warrant further research include the possibility of a capital gains tax; a ceiling on selling prices; and restructuring of the existing loan program which would make it more available to individuals trying to enter the fisheries and who have not alternative means of financing it. This can be done in several ways such as incorporating a sliding scale based on income, such as the current state student loan program.

Again, let me state that U.F.A. is not endorsing these concepts, but feel they do need to be explored.

Limited entry is vital to the continued success of the salmon fisheries in Alaska, as such we will be working with you as much as possible to create an acceptable solution to the problems which you have outlined.

Sincerely


Sharon Macklin
Executive Director

cc: all Committee Members

Alaska State Legislature



REPRESENTATIVE
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PHONE 465-3738 OR 3739
HOME PHONE 789-7897

House of Representatives

March 7, 1980

Mr. Jack Snyder
P.O. Box 45
Togiak, Alaska 99678

Dear Mr. Snyder:

Enclosed please find a copy of the report
by the Limited Entry Study Group.

Sincerely,

Nels A. Anderson, Jr.
Representative Nels A. Anderson, Jr.

NAA/ah
Enclosure:

Alaska State Legislature

REPRESENTATIVE
NELS A. ANDERSON, JR.
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REPRESENTING DISTRICT 16
BRISTOL BAY — LOWER KUSKOKWIM

HOUSE MAJORITY LEADER
VICE CHAIRMAN JUDICIARY COMMITTEE
MEMBER, RULES COMMITTEE
MEMBER, SPECIAL COMMITTEE
ON SUBSISTENCE

House of Representatives

February 20, 1980

Mr. Micheal Hough
Attorney at Law
P.O. Box 291
Homer, Alaska 99603

Dear Mike:

Thank you for the letter regarding the late filers bill, HB 665. Yes, I would appreciate any help you can give me. Letters of support and testimony would be very beneficial.

For your information, the House Resources Committee plans to hold a teleconferenced hearing on HB 665 as well as HB 630 and HB 631 on March 3, 1980. This is very opportune for anyone near a legislative information office to offer direct testimony.

I also would appreciate your review of any bill mark up, changes or amendments that may develop and I will keep you informed on these.

Thank you for your concern.

Sincerely,

Nels A. Anderson, Jr. /ah
Representative Nels A. Anderson, Jr.

NAA/ah
Enclosures:

Need

1. Who to?
2. Enclosures

Draft

January 24, 1980

Dear Speaker Gerdner
~~Limited Entry Study Group~~
Dear President Tillon

The basic charter of the Limited Entry Study Group was to look at the known problems of limited entry and to ascertain whether a new system of limited entry could be devised to resolve the existing problems in limited entry or whether modifications could be made to the existing program.

Along with this letter are copies of the many consultant reports and staff reports that were produced under the auspices of the limited entry study group. These address the many tasks that were assigned to the committee.

Briefly, I would like to state the conclusions of the Limited Entry Study Group. The Limited Entry Study Group spent a great deal of its effort on several specific alternative systems to our present limited system. Among these were an apprentice program approach, a reduction of permit values through taxation, and the removal of transferability and values on permits. There were many variations of these basic three themes and other alternatives examined as well. Basically, the committee has concluded that with ^{the} existing development of any of these alternatives, we are not able to recommend an alternative system of limited entry that would improve the existing ~~system~~. In fact, it is highly likely that any one of the alternatives proposed would create additional problems of substantial measure, ~~while~~ not necessarily overcoming the problems of the existing system.

The committee's deliberations were also effected by recent information that indicates that permit values may be on a decline in those areas where either poor or moderate seasons were had by the commercial fishermen of that area. It also appears that there may be a severely depressed price in many of Alaska's salmon fisheries in the up-coming year. These facts would certainly seem to dictate that we should not move overly quickly in changing our present limited entry system which has really only been in effect four or five years.

Portions of our study effort have pointed out one area of modification of state programs that could make a large difference in the availability of permits to Alaskans. With recent modifications to the state commercial fishermen's loan program, ~~there~~ has been a drastic increase in the amount of limited entry permit

loans to Alaskans. The committee has looked into many additional improvements that could be made to the state's commercial fishermen's loan program that would further increase the availability of financing to those Alaskans who need and desire financing to enter the fishery. This is probably the best of course of action that we can recommend *at this time* for the known problems with limited entry.

An additional assignment to the limited entry study group was the problems encountered in the Yukon River Fisheries. Because of the historical and legal differences with the limited entry problems on the Yukon River this problem was approached under a separate study effort. A copy of that final report and recommendations are also enclosed.

Sincerely,

Nels Anderson, Chairman
Limited Entry Study Group

NA:ss

Alaska State Legislature

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REPRESENTING DISTRICT 16
BRISTOL BAY — LOWER KUSKOKWIM

HOUSE MAJORITY LEADER
VICE CHAIRMAN JUDICIARY COMMITTEE
MEMBER, RULES COMMITTEE
MEMBER, SPECIAL COMMITTEE
ON SUBSISTENCE

House of Representatives

February 8, 1980

Commissioner Ronald O. Skoog
Department of Fish and Game
Support Building
Juneau, Alaska 99801

Dear Commissioner Skoog:

Please find a letter written by Dr. George W. Rogers concerning current fisheries catch and economic data. Dr. Rogers assisted the Limited Entry Study Group gather information on the socio-economic impact of the Limited Entry program and found a two year lag in data that we needed for our project.

I have been told that the situation is improving. However, I would appreciate your comments on this matter and any recommendations you may have that would correct the situation.

Very Sincerely,

A handwritten signature in dark ink, appearing to read "Nels A. Anderson, Jr.", is written over a horizontal line.

Representative Nels A. Anderson, Jr.

Enclosure:

cc: Representative Terry Gardiner
Senator Clem Tillion
Representative Russ Meekins
Senator John Sackett

January 22, 1980

Representative Nels A. Anderson, Jr.
Committee Chairman
Limited Entry Study Group
Pouch V
Juneau, Alaska 99811

Dear Nels,

In the performance of work for your committee, we were hampered and frustrated in meeting our objectives by difficulty in extracting available information from fisheries sources. This is a long-standing problem and the key to its solution is the timely processing of fish ticket returns which is, in turn, simply a matter of funding and manpower. The problem has been repeatedly addressed by State and Federal groups. Two years ago, for example, it was a major topic of discussion at and resolution by the Alaska Science Conferences. Currently the North Pacific Fisheries Management Council is seeking ways to improve data processing, and recently Dr. Richard Morasco of the National Marine Fisheries Services surveyed both Federal and State sources in Alaska and submitted recommendations for improved organization and joint funding of these activities. But to date there have been no changes in the situation.

Before your group dissolves, therefore, I would strongly urge that you recommend support for a co-ordinated and adequately funded program of basic fisheries data gathering and publication. At the close of your meeting on January 21, John Williams of the Commercial Fisheries Entry Commission met briefly with Dr. Steve Langdon and myself to discuss the calling of a two-day meeting of agencies which collect data and users of such data to formulate specific recommendations. It would be very useful if you could have the Legislature represented in this effort.

This may seem like a minor matter and in terms of budget it probably is. But improved and current fisheries catch and economic data are essential to our fisheries development efforts. It is also basic to legislative review of the effectiveness of programs and attempts at reform and revision.

Sincerely yours,



George W. Rogers

GWR/dm



ALASKA LEGISLATIVE COUNCIL

—Minutes—

Meeting of

May 15, 1979

Anchorage, Alaska - Court Building

The meeting was convened by Chairman George Hohman in Room 402 of the Anchorage Court Building, at 10:10 a.m., Tuesday, May 15, 1979.

Prior to taking the roll, Chairman Hohman presented a letter, dated May 6, 1979, from Senate President Tillion announcing his resignation from the Council and appointing Senator Mike Colletta in his stead.

Roll call was then taken and in attendance were Council members Brown, Colletta, Fuller, Gardiner, Hackney, Hohman, McKinnon and Miller. Absent were Eliason, Kelly, Meland, Phillips, Ray and Ziegler. Staff members in attendance were Charney, Berrier, Endicott, Erickson, Kadow and Ciraulo. Other legislators in attendance were Bradley, Cotten, Kerttula, Miles, Osterback, Sturgulewski and Sumner.

ACTION BY COUNCIL SINCE LAST MEETING

Since the last meeting on March 17, 1979, the Council has conducted polling on three matters as follows:

1. Approved expenditures of up to \$2,000.00 from the Council Reserve for expenses of visiting dignitaries from Canada. Voting Yes were: Hohman, Hackney, Kelly, Meland, Tillion, Ziegler, Gardiner, Miller and Phillips. Voting No were: none. Not voting were Ray, McKinnon, Brown, Fuller and Eliason.
2. Approved allocation of \$30,000.00 from the Council Reserve for the purpose of increasing the Telecommunications Consultant's contract. Voting Yes were: McKinnon, Brown, Eliason, Fuller, Gardiner, Miller, Phillips, Hohman, Kelly, Meland, Ray, Tillion and Ziegler. Voting No was Hackney.
3. Reinstated Ms. Sharman Haley, Policy Analyst, with full pay and benefits and terminate her effective the close of business on May 7, 1979 - authorizing normal severance pay in lieu of giving notice. Voting Yes were: Hohman, Eliason, Hackney, Ray, Ziegler, Colletta, Phillips, Meland, Kelly and Fuller. Voting No were Gardiner and Miller. Not voting were Brown and McKinnon.

APPROVAL OF MINUTES

Representative Brown moved and asked unanimous consent that the minutes of the meeting of March 17, 1979, be approved. Motion carried without objection.

INTERIM AND SPECIAL COMMITTEES AND FUNDING ALLOCATIONS

Chairman Hohman and Vice-Chairman McKinnon announced the formation of the Legislative Council's Joint, House and Senate Interim Committees, as well as allocation of funds to these committees and for other uses by the Agency and Special Committees of the Legislature. A listing of committees, membership, chairmen and funding allocation is attached and incorporated as part of these minutes.

A memorandum from the Chairman to all interim committees, regarding basic information and progress reports to be furnished the Chairman during the interim, was distributed (copy attached).

STATE LEASED-LAND TRANSFERS

Representative Miles appeared before the Council and presented a memorandum from him to the Council outlining recent developments and apparent plans by the Division of Lands concerning immediate disposal of state-land to municipalities, which is presently held by lease-holders thus circumventing legislative intent contained in FCCSHB 66, which, when signed into law by the Governor, would go into effect on July 1, 1979 (memo attached).

Representative Brown moved that the Council authorize up to \$10,000.00 for legal action to be taken, in the event that an administrative settlement by negotiation is not reached by June 4, with the understanding that even if legal action becomes unnecessary - a portion of the \$10,000.00 would be expended for prepatory legal work. Mr. Berrier would be authorized to engage the services of outside counsel and the Chairman would appoint a committee to attempt to resolve the problem without having to ask for judicial relief. In addition, the Chairman would be authorized to direct that the suit be filed on behalf of the Legislature should the negotiations fail. Senator Hackney asked for unanimous consent to the motion. Motion carried without objection.

Chairman Hohman appointed Senators Sumner, Colletta and Kerttula to a committee for the purpose of immediate negotiation of the problem and to report back to the Chairman in a timely manner in order that a suit could be filed to prevent these land transfers, should that be necessary.

AUTHORITY TO TRANSFER F.Y. 1979 FUNDS

Mr. Charney referred to past practice of the Legislative Council in authorizing year end transfer of appropriations and allocations and recommended the same action be taken this year. Representative Miller moved and asked unanimous consent that, under provisions of AS 24.20.140, the Executive Director be authorized to make the annual transfer between Council appropriations and allocations for the current fiscal year in order that any surplus funds may be used for the pre-payment of lease obligations and the pre-ordering of regular supplies and equipment before the funds lapse on June 30. Motion carried without objection.

ADMINISTRATIVE REPORTS

Mr. Endicott directed the Council's attention to the April 30, 1979 Financial Report which was distributed.

SELECTION OF F.Y. 1979 AUDITORS

On recommendation of Mr. Endicott, Representative Miller moved and asked unanimous consent that Touche Ross & Co. be hired to conduct the required annual audit of the Agency for the second year in succession. Motion carried without objection.

REVIEW OF AGENCY BUDGET FOR F.Y. 1980

Mr. Endicott briefly summarized the new appropriations for the upcoming year, pointing out the major changes from this years activity are the interim work of the committees and the creation of five year-round and three session information offices (Bethel, Nome, Kotzebue, Dillingham and Barrow are year-round; Soldotna, Sitka and Kodiak are to be session only). Total working budget is as follows:

Legislative Salaries & Allowances	\$1,216,000
Legislative Leadership	474,900
Executive Director	142,500
Administrative Services	2,415,100
Research Services	671,400
Legal Services	850,100
Session Expenses	2,139,000
Office Space Rental	325,000
Equipment	146,000
Directly Funded Committees	399,300 *

Council & Subcommittees	2,719,100 *
Ch. 6, SLA 1979 Directly Funded Committees	316,100 *
Research Services - Special Studies	425,000
Railroad	265,000
d-2	225,000
TOTAL	\$12,729,500

*See Interim & Special Committees List attached to these minutes for detailed breakdown.

PUBLIC SERVICES

Mr. Charney announced to the Council the creation of the new Division of Public Services, which will have supervision of all information offices and the teleconferencing function, and introduced Mrs. Kadow who has been appointed Director of the new division.

EXECUTIVE SESSION

Representation Brown moved and asked unanimous consent that the Council recess for the purpose of going into executive session to discuss litigation filed against the Council and staff by Ms. Sharman Haley on the basis that personalities of particular individuals would be discussed. Motion carried without objection. The meeting was recessed at 11:20 a.m.

ENGAGING LEGAL COUNSEL

The meeting was called back to order at 11:55 a.m. Representative Gardiner moved and asked unanimous consent that Mr. Berrier be authorized to hire the necessary legal counsel to defend both the Legislative Council and the legislative staff in the Sharman Haley case. Motion carried without objection.

Chairman Hohman appointed Representatives Gardiner and McKinnon, and Senators Colletta and Hohman, to a committee to work with Messrs. Berrier, Charney and Erickson in selecting legal counsel and defending the suit.

ADJOURNMENT

Representative Fuller moved and asked unanimous consent to adjourn the meeting. Chairman Hohman indicated that the next meeting would probably be sometime in July. Hearing no objection, the meeting was adjourned at 12:05 p.m.

Enclosures (3)

Interim and Special Committees
and
Funding Allocations

Directly Funded Committees - Regular Budget

Limited Entry (Joint)	\$165,000
Members: Anderson Chmn., Gardiner, Branson, Sumner, Mulcahy and Sackett	
Minority Relations (Senate)	\$ 34,300
Members: Stimson Chmn., Sackett and Rodey	
Gas Pipeline Financing (Joint)	\$170,000
Members: Miles Co-Chmn., Colletta Co-Chmn., Gardiner, Parr, Hayes, Chatterton, Sumner and Ferguson	
Licensed Guides (House)	\$ 30,000
Member: Guy Chmn.	

Council Funded Committees - Regular Budget (\$2,719,100 available)

House Standing Committees (House)	\$264,000
HESS 60,000	Buchholdt
Judiciary 50,000	Parr
Commerce 53,000	Brown
Labor & Mgmt. 28,000	Hurlbert
State Affairs 32,000	Miller
C&RA 31,000	Parker
Rules 10,000	Cotten
Senate Standing Committees (Senate)	\$300,000
HESS 35,000	Hackney
Judiciary 25,000	Ziegler
Commerce 82,000	Bradley
C&RA 43,000	Sturgulewski
Rules 70,000	Colletta
Resources 45,000	Sumner
Services for Elderly (Joint)	\$ 50,000
Members: Rodey Chmn., Hackney, Miller and Buchholdt	
Subsistance (House)	\$ 31,000
Members: Fuller Chmn., Anderson, Osterback, Halford and Hayes	

Council Funded Committees -- (continued)

Agriculture (House)	\$ 52,000
Members: Carney Chmn., Moss and Bettisworth	
Foreign Investment (House)	\$ 45,000
Members: Zharoff Chmn., Miles and Eliason	
Land (House)	\$ 65,000
Member: Miles Chmn.	
Roads and Highways (House)	\$ 29,000
Members: Munson Chmn., Barnes, Freeman, Parr and Halford	
Energy (House)	\$30,000
Member: Anderson Chmn.	
Telecommunications (House)	\$ 70,000
Legislative Affairs Agency Contract with Consultants	
Leasing Policy (House)	\$150,000
Members: McKinnon Chmn., Miles, Malone, Rogers, Chatterton, Hayes and Cotten	
Code Revision Commission (Permanent)	\$117,500
Alaska Commission on Intergovernmental Cooperation (Permanent)	\$ 70,000
Chairman's Discretionary Account (Permanent)	\$ 10,000
Vice-Chairman's Discretionary Account (Permanent)	\$ 10,000
Retirement Benefits Board (Permanent)	\$ 13,000
Council Travel, Per Diem and Incidentals Account (Permanent)	\$100,000
Alaska International Trade Activities (Senate)	\$200,000
Members: Colletta Chmn., Sumner, Hohman and Sackett	
Bottomfish (Joint) (P)	\$154,000
Members: Osterback Chmn., Eliason, Fuller, Miles, Sumner, Stimson, Ferguson and Ray	

Council Funded Committees -- (continued)

Teleconferencing (Permanent) Legislative Affairs Agency for full- time moderator during interim	\$ 20,800
Blue Ribbon Personnel Commission (Permanent)	\$ 57,800
Administrative Regulation Review (Permanent)	\$ 45,000
Telecommunications (Senate) Members: Ferguson Chmn., Sackett, Hohman, Kerttula and Colletta	\$ 85,000
Tax Policy (Senate) Members: Sumner Chmn., Colletta and Hohman	\$200,000
Constitutional Convention (Joint) Members: Hohman and Rogers Co-Chairmen	\$ 95,000
Legislative Information Chmn. Hohman	\$150,000
Legislative Internship Program Chmn. Hohman	\$157,000
Pacific Rim Economic Seminar Series Chmn. Hohman	\$148,000

Other Committees Who Received Funding in Ch. 6, SLA 79

Administrative Regulation Review (Permanent) Chmn. Bennett	\$ 86,100
Rural Energy (Senate) Chmn. Ferguson	\$ 60,000
Election Reform (Senate) Chmn. Kelly	\$100,000
Agricultural Policy (Permanent) Liaison, Kerttula	\$ 10,000
Transportation (Senate) Chmn. Ray	\$ 44,000
Permanent Fund (House) Chmn. Malone	\$ 16,000

STATE OF ALASKA
THE LEGISLATURE
LEGISLATIVE COUNCIL

POUCH V - STATE CAPITOL
JUNEAU, ALASKA 99811
907-465-3800

MEMORANDUM

To: LEGISLATIVE INTERIM COMMITTEES
From: GEORGE HOHMAN *G.H.*
Re: REQUEST FOR INFORMATION

The Legislative Council is preparing a series of information packets on issues confronting Alaskans.

The packets will be available to legislators and other interested parties and will provide material for a presentation on the issue selected.

These packets will be the first elements in the Council's program to develop a bank of information that will be available to inform Alaskans on key issues confronting them and requiring resolution through appropriate action.

To assist the Council in preparing these packets, I am requesting that each interim committee complete the attached WORK SHEETS by JUNE 15, 1979 and forward them , along with any appropriate back-up materials, to:

Senator George Hohman, Chairman
Alaska Legislative Council
Pouch V
Juneau, Alaska 99811

Having reviewed proposed interim committee action, I anticipate that committee work will facilitate and expedite workings of the 1980 legislative session.

I expect that proposed legislation will result from the work of most interim committees. In order to insure maximum benefit from committee work I am requesting the following information:

- A. Written MONTHLY progress reports on committee work,
- B. Progress report presentation to the Legislative Council at the ~~SEPTEMBER~~ SEPTEMBER 1979 Council meeting.
- C. Presentation of proposed legislation to the Legislative Council at the DECEMBER 1979 Council meeting.

Written material should be submitted to:

Senator George Hohman, Chairman
Alaska Legislative Council
Pouch V
Juneau, Alaska 99811

If you have any questions, please contact me at

465-3880 or
465-4849

Thank you for your help.

STATE OF ALASKA
THE LEGISLATURE
LEGISLATIVE COUNCIL

POUCH Y - STATE CAPITOL
JUNEAU, ALASKA 99811
907-465-3800

WORK SHEET

SUBJECT OF COMMITTEE'S WORK:

HISTORICAL PERSPECTIVE: (Please outline the historical development of the issue being addressed by the committee. Include an inventory of any other efforts to address the issue you are studying.)

CURRENT STATUS: (Please outline the current status of the issue/problem being addressed by the committee. Include an inventory of all governmental and private involvement in the issue at this point.)

OTHER PERSPECTIVES: (Please include an inventory of efforts by governmental, private or other entities to address the general issue/problem being considered by the committee.)

DIRECTIONS: (Please outline any appropriate recommendations for action on the issue being addressed.)

Please include complete information, including appropriate back-up material, on all areas listed on the WORK SHEET. I am attaching an (Example) WORK SHEET as a general outline of what I am asking for.

Thank you for your cooperation.

STATE OF ALASKA
THE LEGISLATURE
LEGISLATIVE COUNCIL

POUCH Y - STATE CAPITOL
JUNEAU, ALASKA 99811
907-465 3300

WORK SHEET

(EXAMPLE)

SUBJECT OF COMMITTEE'S WORK: 17 d 2 LAND ISSUE

HISTORICAL PERSPECTIVE:

- A. Russian Discovery/Conquest of Alaska
- B. American Purchase of Alaska
- C. Alaska as a Territory and State
- D. ANCSA - 17 d 2
- E. Executive Actions

CURRENT STATUS:

- A. Current Status of Alaska Lands Overview
- B. Governmental Action
 - 1. Federal
 - 2. State
 - 3. Local
 - a. Executive
 - b. Legislative
 - c. Judicial
- C. Private Action

OTHER PERSPECTIVES:

- A. Governmental
 - 1. Federal
 - 2. State
 - 3. Local
 - a. Executive
 - b. Legislative
 - c. Judicial
- B. Private
- C. Other

DIRECTIONS:

Appropriate recommendations

MEMORANDUM

TO: Senator George Hohman, Chairman
Legislative Council

FROM: Representative Bill Miles, ^{BW}CO-chairman
House Resources Committee

RE: State leased-land transfers

DATE: May 15, 1979

According to the director of the division of lands and public notices in the newspapers, State leased-land will be transferred to the Municipality of Anchorage next month, prior to the effective date of FCCSHB 66 which was passed overwhelmingly during the recent legislative session. If this is done, a number of undesirable effects will result:

- a. Legislative intent will be frustrated once again. The past legislature specifically addressed the question of sale of leased land and included language in FCCSHB 66 so that lease-holders would be able to purchase their lease-hold land from the State;
- b. Land would effectively be transferred from government(State) to government(Local) without the opportunity of allowing Alaskan residents to purchase it for private ownership;
- c. Lease-holders intent to purchase land from the State will be frustrated.

HISTORY

During the last legislative session, the lease-holders approached a number of legislators to secure passage of legislation allowing them to purchase lease-hold land. I indicated I would have drafted and introduced a bill to allow this type of purchase, assuming the sale price would be the fair market value or reasonably close to the fair market value. Subsequently, such legislation was introduced and the House Resources Committee began its deliberations. The Committee asked a number of specific questions of the department of natural resources; at no time was the committee ever provided complete and timely information and answers to its questions. Although the Committee worked long and hard on the bill, when it passed into House Rules, a number of uncertainties still existed because of the lack of information.

Hence, a different approach to the problem was considered, as the session was drawing to a close, and a single section was included in FCCSHB 66:

"Sec. 43. State land which is leased under a lease for which an application was made for conversion to an amended lease under sec. 12, ch. 138, SLA 1977, as amended by sec. 21, ch. 182, SLA 1978, may not be selected by a unified municipality to satisfy a general grant land entitlement granted under AS 29.18.201 until the expiration of the lease or until January 1, 1981, whichever is earlier."

INTENT

The intent of the language in FCCSHB 66 was twofold:

- a. As the original bill to sell leased land appeared dead for the session due to time constraints and lack of information, the free confirees wished to allow lease-holders the option of purchasing the land under existing law. Obviously, if the land is transferred to a new landlord, i.e., a local government, extensive delay would result;
- b. Further, the confirees wished to allow the legislature to gather the missing information and continue its work on a fair, equitable sale law next session.

In essence, we placed in limbo the transfer of lease-hold land to give lease-holders an opportunity to purchase the land and/or to give the legislature a chance to adopt a bill next session. Transferring lease-hold land at this time would be a direct violation of this intent.

SOLUTION

Two solutions are possible at this time. Either administrative or judicial relief could be sought. Administrative relief would foreclose the option of substantive public or legislative input, as the transfer is to take place next month.

Secondly, the Legislative Council could seek judicial relief to delay the transfer until the legislature resolves the matter next session or until the lease-holders, at the minimum, have an opportunity to purchase the land from the current landlord.

Having discussed the proposed judicial relief route with members of the bar, such temporary relief would cost approximately \$10,000.00.

SUMMARY AND RECOMMENDATION

If lease-holders and legislators had not made a good-faith effort to secure passage of a bill allowing purchase of lease-hold land, I would not be before you today. However, such an effort was made...and was frustrated at virtually every bend in the road. Now, the lease-holders are faced with the onset of a new landlord in June, never having the opportunity of purchasing land on which many of them have spent entire lifetimes.

A simple one-year delay of this transfer, should the Legislative Council see fit to pursue the matter in court and should the court see fit to grant the delay, when it is so absolutely in line with the lease-holders wishes and legislative intent, seems not only appropriate but the essence of fairness to all.

SPECIAL ~~FILE~~ COMMITTEE FILE #17

JOINT INTERIM COMMITTEE ON LIMITED ENTRY 1979
FILE CONTENTS

Copy of File Contents.

1. HB141 and HB142 (1979) - Establishing Limited Entry committee, appropriation for ...
2. 1980 - Limited Entry Reading file and correspondence.
3. Transcription from: The Limited Entry Study Group Committee meeting. December 12, 1979 Anchorage, Alaska.
4. Memorandum to ^{the} Honorable Nels Anderson from the Commercial Fisheries Entry Commission. Subject: HB 665: Additional Application Period for Limited Entry Permits. 2/25/80
5. "Before a legislative committee of the Alaska State Legislature." Testimony of Frederick Paul. April 16, 1979.
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 ~~preliminary report~~ "Sociological Study of Limited Entry in the Bristol Bay Salmon Fishery: a preliminary report on field work conducted in Summer 1979."
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9. M^cCorkle, Pat, ~~and~~ " Fisheries Management in Alaska — A Comparison." Revised by Donna Mayer. December 6, 1979
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11. Rogers, George W. and Jack Kreinheder. "Socioeconomic analysis for fishery areas and census divisions." January 21, 1980. 241 p.
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13. Rogers, George W. and Jack Kreinheder. "Socioeconomic data base for fishery areas and census divisions." October 23, 1979.
14. Memorandum to Ella Anagick, Limited Entry Study Group, from Avrum M. Gross, Attorney General, by Jonathan K. Tillinghast. Subject: Proposals to amend Limited Entry Act. September 6, 1979. 8 p.
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_____ . "Proposed Regulations Limited Entry; report to the Fishermen of Alaska." July 15, 1974.
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23. Limited Entry Symposium - Naknek. October 12, 1978.
31 p.

24. Transcript - Iliamna. 1978 102 p.

27. ~~27.1~~ Division of Legislative Audit. "A performance review of the Office of the Governor Commercial Fisheries Entry Commission (and related aspects of) the Department of Fish and Game and the Department of Public Safety, May 15, 1979." 35 ^{with additional pages.} ~~plus append~~

25. Limited Entry Symposiums. Final Report. n.d. ~~7 p.~~
2 p. plus ^{attached} legal memoranda and correspondence.

26. John Williams, LAA. "Limited Entry Symposiums in Bristol Bay." October 16, 1978. (to Anderson) 3 p.

~~"Cook Inlet Limited Entry Permits ^{March 15, 1979} plus supplements of March 7 and March 15, 1979. ~~March 15, 1979~~ Supplement to L.A.A. 6882. ~~March 15, 1979.~~~~

March 15, 1979, plus attachments.

~~John Garner, Commercial fisher.~~

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16. Baker, June and Ben Muse, Commercial Fisheries Entry Commission. "Summary of cost and net return information for the Cote D'Ilet drift gill-net fishery." Aug. 1978. 24p.
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17. Cicin-Sain, Biliena, et al. "Management Approaches for Marine Fisheries: the case of the California Abalone." U. of California, ^{Institute of Marine Resources.} ~~Sea Grant College Program~~. IMR 77-101, Sea Grant Publication 54. January 1977. 223p.
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20. Memorandum to Honorable H.A. "Red" Boudier, Lieutenant Governor, from Michael R. Petersen. "Limited Entry Regulations." November 18, 1974. 34 + p.
21. HB 126 - House Resources Committee January 29, 1973. transcript. 103p.
22. SB 39 - Limited Entry Special Committee on Fisheries. January 24, 1973. 49p.

LIMITED ENTRY STUDY GROUP

1978—1979

LIST OF TAPES - AUDIOCASSETTES

<u>Tape No.</u>	<u>Date</u>	<u>Information</u>
1	4/7/78(?)	Interview with Nels Anderson, Jr.
2-7	10/11/78	Symposium--Dillingham
8-10	10/13/78	Symposium--Iliamna
11*	1/21/79	Final meeting
12	1/29/79	ALS, Nels Anderson, Jr., Don Clocksin, Terry Gardiner, Limited Entry Commis- sion, Fuller, Zharoff, Osterback
13-15**	9/5/79	Kotzebue
16-18	9/7/79	Hearing, King Island
19-21	9/9/79	Unknown
22-26*	12/12/79	Limited Entry Study Group Committee meeting
27	n.d.	Marketing Bristol Bay Salmon. McBride on KDLG

* Nos. 11 and 26 are reel-to-reel audiotapes.

** Note on tapes states that "not comprehensible."

SCOMM

#17:3

TRANSCRIPTION FROM:

THE LIMITED ENTRY STUDY GROUP
COMMITTEE MEETING

December 12, 1979
Anchorage, Alaska

Committee Members:

Representative Nels A. Anderson, Jr., Committee Chairman
Representative Margaret Branson
Representative Terry Gardiner
Senator Bob Mulcahy
Senator John C. Sackett
Senator Bill Sumner

Project Director: Ella Anagick, thru December 15, 1979.

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Mr. Doug Pope.....	pages 11 thru 22
Mr. John Williams.....	Pages 22 thru 24
Dr. George Rogers.....	pages 24 thru 34
Ms. Ella Anagick & Mr. Ken Vasser.....	pages 34 thru 48
Mr. Jack Kreinheder.....	pages 49 thru 56

key:

_____, one or two words were not audible.

_____ not audible _____, phrase or section was not audible.

Representative Nels Anderson Jr.: This is the Committee on Limited Entry. We have Senator Sackett with us sitting over there, Representative Branson, Senator Mulcahy, and Speaker of the House, Representative Gardiner, and I'm Nels Anderson for those of you who don't know me.

The purpose of this meeting is to hear staff reports on various alternatives that they have been working on over the interim, plus economic and social studies that various contractors have been doing for the committee. Again, the primary purpose of this meeting is to bring the committee up to date on the work that they're doing. The last meeting we had some preliminary data presented to the committee. At this meeting we are going to be looking at some of the final recommendations that the staff has for the committee to consider and recommend to the legislature in 1980. As time permits we will be able, I think, to allow members of the public to participate, but, I think, I'll ask that they keep their presentations to a digestable minimum, if possible. I know the subject is quite complex in areas, and we may be getting into some controversial areas.

The committee has still yet to decide whether or not the recommendations by staff are really the way to go and whether or not they are going to put their names on the line for the next legislature. But we have a...one, two, three, four, five, six,...six presentations and there is one of the staff people that is not here yet. If he doesn't come we will just put the next one up that appears on the agenda. The first presentations,...maybe I should introduce staff too. Ella Anagick is our project director, she is from Unalakleet. She has been directing the efforts of the committee when we haven't been meeting. We have Donna her who I believe is our secretary. We have Dr. Steve Langdon over here to my right who will be making the first presentation. We have Dr. George Rogers, sitting here. He is the guy with the walrus mustasch. I think most of you know him already. And then sitting to his right is Mr. Jack Kreinheder. And if I've left any of the staff out please hollar right now. We also have members of the Limited Entry Commission with us. I'm not sure who is the chairman is right now, is it you Mr. Simons?

Mr. Simons: I'm the acting chairman, yes.

Anderson: And we have the new commission member, welcome, Mr. John Williams, who is a former researcher for legislative affairs, and now he is a commissioner with limited entry.

So I would like to thank all of you committee members for attending the meeting today and I think without further delay I would like to go right into Dr. Langdon's presentation.

Dr. Steve Langdon: Thanks alot Nels.

I'd like to, for those people who were not able to sit in on the October meeting....I would like to outline a little bit of what the report on the transfer patterns research, I've been doing since the end of August, for Limited Entry Study Group. What the objectives of that research were.

The first objective was to identify the kinds of transfer patterns which have occurred in the limited entry salmon fishery. With regard to the age, residency, sex and family relationships of the people whom permits were, and since that time obtained or transferred their permits.

The second objective of my research was to identify patterns of new entries into the fishery. That is how people getting into the Alaskan limited entry fishery thru a particular route, and to meet this particular objective we have sent a survey to processors, bank presidents, credit associations, in Alaska and Washington for information on the numbers and amounts of permits they had hoped finance in specific years. I've also engaged in an analysis of Alaska's commercial fish loan program to see what Alaskans were able to make use of that program to enter into the fisheries.

The third objective of the research was to assess the socio-economic impacts of these transfers on various categories of state residency. I have used some of the data collected by Dr. George Rogers and Jack Kreinheder for 1977 to make some estimates of what kind of net earning impact these transfer patterns have on certain segments of Alaska's population. Let me point out that 1977 is the latest data that we have available to us, because of lack of funding for the Alaskan fish and game computer people who simply are not able to keep up with the kinds of data needs. I think that the government needs to be able to manage the fishery so I urge you, those of you on the scientific end and the management end,....I urge you the public, the general public to be cognizant of the fact that these people need money to get information so they can make decisions...they really do. And I would like to see them be able to get it. More current data and a little more money and they will be able to do it.

I'd like to turn now to examine some of these findings which regard the data that I have collected. First of all, with regard to the transfer patterns of the permits I would like to first of all talk about age of permit holders. One of the important things, of the more important controversy surrounding limited entry is whether or not people will actively transfer their permits or will you have a group of issues stealthily getting older. They will hang on to their permits and you will have a gradually declining fishery in terms of efficiency of the fisherman because they are getting older and older. Well, this is not the case in Alaska's limited entry fishery. Our analysis indicated that the...in fact that in 22 out of 25 of the salmon's limited entry fisheries the mean age of permits at the initial time of issuance have in fact dropped. In other words if the mean age started in 1975, of the people who received permits, let say at 48 years old that the mean age accredited is 44.4. Usually in that range some are between 42 and 48. There are several fishery, set gill net fisheries in which the mean ages are lower than that for a number of reasons. In those, I would like to make a brief comment about those 3 fisheries that which ages have in fact increased. One of those is the Chignik purse seine fishery in which ages have in fact....there have been very few transfers in that permit in other words...in this case the net earnings are higher in terms _____precluded initial issues from transferring their permits and the so...the entire _____is getting older.

However, the second, ...the other two cases are a little bit different. They are set gill net fisheries, the Bristol Bay set gill net fishery and AYK fisheries. They also show and increase in age but for a different reason, that is, in these fisheries a large cohort of young individuals between 11 and 20 have received individual permits and apparently they had transferred those permits to older individuals so that we see a net increase in the age of permit holders in those areas. So, in some limited entry fisheries are, provided for some of the younger people the mean age is down from the initial issuance. Let me make just a couple of brief comments. This is in fact, probably in the large part, an artifact of the people getting permits based on a participation between 69 and 72 did not receive permits until 1975. At this point they could transfer them so that we all ready had a number of older individuals who were semi-retired or moving out of the fishery income. So, this is another fact to be considered.

Let me turn now to examine a different kind of sexual distribution of the permit. It might be expected males are the overwhelming predominate holder of the permit in Alaska's fisheries. Holding overall between 90 and 95% of all the permits. Women predominately, in only one fishery around the state, that is, they have more permits than men in the Bristol Bay set gill net fishery. However, they do have a significant portion of permits in different fisheries, that is set gill net. There are significantly fewer women involved in drift gill netting, and in power trolling and there are virtually no women holding purse seine permits. The pattern seems to be that the more technologically sophisticated, and the more remunerative, the fewer female participants you find in a fishery.

I would like to turn now to what I call the index of stability. This is what I mean by stability...what portion of people who have got permits have held on to those permits. This index is arrived at by dividing the number of permits transferred by the total number of permits in each given fishery. So that you take the total number of permits that have been transferred, and you divide by the total number and you come up with the index for stability. There is tremendously wide variation in the Alaskan 25 salmon limited entry fisheries in terms of stability. You move from low, extremely stable fisheries such as most of the AYK fisheries, ...are very stable in which permits have been transferred. We must also indicate that this is an artifact of the fact of permanent permits were not issued in these fisheries until March of 1976. A year and 3 months over the other fisheries, and there has been a continual issuance in these fisheries. At any rate the lower the state in terms of a figure is 10.4 in the Lower Yukon, in other words only 10.4% of these were initially issued permits have in fact transferred. On the other end of the scale we have a high of 60.6% in Kodiak beach seine fishery, in other words 60.6% of these who were initially given a permit have in fact transferred that permit. Overall in the purse seine fishery that figure comes out to a little under 40%. So that you have between 35% and 40% of the initial issues have in fact transferred their permits. The drift gill net fisheries averages a little over 40%.

OK, I would like to turn now to,...first of all in terms of the Commercial Fishery Entry Commission uses data on transfer on the basis of residents and non-residency. An individual is deemed either a resident or a non-resident for purposes of the commissions record keeping. I have defined those measures using the commissions data on residency into what I call a number of local areas. This map represents what the geographic areas which I have used to determine the local residents of permit holders. In the next table, a table that you will see later on, the categories that I'm using here are Alaskan rural locals, Alaskan urban locals, let me give you an example. An urban local involved in the Southeastern drift gill net fishery lives in a community over 2,000 in this particular region...an Alaskan urban local. An individual who holds an Southeastern drift gill net fishery who lives ...let's say in Anchorage, or Fairbanks, is an Alaskan urban non-local. What I have done infact is defined the residency criteria for residency categories into these different categories for purposes of analyzing transfer patterns. Now each of these categories,...you have a particular handout which indicates the residency of initial permit holders by fisheries. Like NR refers to the individuals who are not residents to the State of Alaska. ARL refers to Alaskan rural locals, rural residents in that local region, AUL refers to Alaskan urban locals, again people living in communities over 2,000, in the local geographic region, ARN refers to Alaskan rural non-locals, that is rural in other parts of the state, and AUN refers to Alaskan urban non-locals, urban residents in other parts of the state. Now each of these categories I have called, just for purposes to put a label on, a cohort, in other words there each of these initially read, amount to a cohort, depending on what fishery you want to look at. I like to talk a little bit about the nature of cohort transfers. The transfers back and forth between different cohorts. One of the most important things to come to grips with is the fact that intra-cohort transfers. That is Alaskan rural locals transferring to and Alaskan rural local, a non-resident transferring to non-resident, an Alaskan urban local transferring to Alaskan urban local, are by far the predominate categories transfers occurring. Only 3 fisheries in the state have less than 60% of intra-cohort transfers. Most have the range of between 65 and 75%. How do you translate that into....what that means is if you transfer your permit to someone else, to somebody you know that you have fished with a long time, or the guy you lived next door to, or somebody who is in your own home community. Again, 65% to 75% that still leaves us with 25 to 35% that are transferred inter-cohort rather than intra-cohort.

I would like to talk now about intra-familial transfers. By this,...the methodology involved here...you have to be very simplistic because I don't have the time or money to go out and find how many people are transferring to their in-laws. So the basic methodology here evolves, from the CFEC's people in terms of sir name. If you transfer to somebody who has the same sir name that would be a intra-familial transfer. The data on intra-familial transfers are again like the data on stability, are tremendously variable throughout the state fisheries. There is no predominate pattern and you have to go upon fishery to fishery basis. We find a low, in terms of intra-familial transfers among the Prince William drift gill net fisheries, where only 9% of all transfers are intra-familial. In addition, another very low end of the continuum is the state wide power fisheries, where only 13% of all transfers are in fact intra-familial transfers.

You have _____ to determine the transfers again in your AYK fisheries which are very, very predominately intra-familial transfers...again here you have a low rate of transfers as well. But 67% of the transfers in the Kuskokwim fisheries are intra-familial, and 66.7% in the Lower Yukon are intra-familial transfers.

Representative Gardiner: What's the average rate?

Langdon: The overall statewide rate is 24%.

I turn now to examine the nature of the shifts in terms of permits held by residency. I'm sorry that the _____ isn't showing up well. The title is the Residency of Initial Permanent Permit Holders by Fishery. As far as I've got...here is one of the problems in the interim report that I submitted in October is _____ to use a June 30th deadline each year to try to spot transfer patterns. Well, that is very difficult. It runs out and I had to go back and revise the methodology because there have been continual issue of permits since that first year. So what I've done here, in this particular table, is take initial issues in 75 and 76 and right up to August of 1979 in terms of the residency of the initial issuee, who got the permit, what was there...initial issuance. I don't know, you may or may not be able to see here at the bottom this is the basic distribution.....

(Pause to adjust the overhead for better viewing)

Can people now get a better sence of the bottom line. I don't know the red did't show up to well.

Taking all of the fisheries,...I don't want to run through them all,...I'll give you copies, for those of you who want them, I can make them available. But in terms of your statewide totals, they all stem from your initial issuance, 22.4% of the permits were issued to non-residents, 39.5% were initially issued to Alaskan rural locals, 27.4 to Alaskan urban locals, 4.4 to Alaskan rural non-locals, 6.3% to Alaskan urban non-locals. This is for everybody who got a permit from 1975 to August of 1979. What the residency of the first person to get that permit was. That gives you an index of what the potential holdings were at any particular time. Some of that is not at any particular time, you see...like for example in the power troll fisheries it is expected to get, when you have a number of old guys who were initialy permits in the first 3 or 4 months and transfer that permit, so if you go on June 30 of 75 you never see what that initial issuance pattern is. So that is why the methodology of the report shows up. What this table does,...there is a whole sheet and series of tables that break this out for each fishery and each year. What the types of transfer patterns among these different cohort classes have been.

These are the summaries of all the transfers by residency from 1975 to present. Again, the bottom line,...the bottom line on these fisheries. 1st of all, I'll talk about the bottom line and then I'll go thru and talk a little bit more about a couple of important cases we have to address, question..... are these significant, are these important. Is

this data something that we need to address legislatively. The bottom is that since 1979 there has been a net decrease of 25 permits or 1.1% of the non-resident holdings. There has been a net decrease of 137 or 3.5% of all Alaskan rural holdings, there has been a net increase of 97 permits, or a 3.6% increase in the Alaskan urban local holdings, there has been a net decrease of 8 permits or 1.9% decrease in Alaskan rural non-locals, and there has been a 73 permit increase or 11.8% increase in Alaskan urban non-locals.

Let me now go and discuss a couple of things that I think are important. One of the important things is that if you throw out the power trollers, permits have shown a gradual increase to non-residents, and the predominate area in which those increase have occurred are in your purse seine fisheries. You sum all the plusses and minuses in the purse seine category you will find out that non-residents have in fact gained in about 20 permits in the purse seine fisheries. Most of them obviously occurring in the southeast purse seine fisheries.

Another important aspect that I think needs to be addressed is the decreases that have occurred. The tremendous loss of permits is primarily in the rural holdings, ...are primarily due to the southeast purse seine fisheries and the Bristol Bay drift gill net and set gill net fisheries. They have demonstrated a high rate of out movement of permits in those fisheries.

The question now that I would like to address briefly, has to do with the.... first of all does anybody have any questions

Jordan Bogdinoff: I have a couple of questions. You mentioned permit holders between the ages of 11 and 20. What was the age of the youngest individual who was issued a permit? Or more specifically, who was the youngest individual in the summer of 1972 that qualified for a permit?

Langdon: The summer of 1972 goes back quite a bit, I don't have..probably somebody 5 or 6 years of age. There are some initial issues under 10 years of age.

Bogdinoff: I have a file on individuals, that show the age of 3 and alot younger than that. I have one individual that was born 1/26/70 and that individual has to be 1 1/2 years of age.

Langdon: Well, you have to remember that,...correct me if I am wrong, that one of the decisions was that participation in 73 and 74...some and if it is an AYK fishery it goes all the way to 75. It depends on the fishery to which that individual was given a permit. What is the exact situation in the AYK area? How far has that participation happened.

NOTE: comments following are not audible.....

Mr. Simons: When I was with the Dept. of Fish and Game we regularly issued gear license to 18 month children, so that the family operation would have another gear license to include in a beach operation. In addition to that the so called....sliding gear scale was established as a method, to not only to reduce the amount of gear in the water but also to make it advantageous for the locals to license the whole family and

get their 25 fathom increment of gear and the whole family...I think this was in 73 and the Isakson decision by the Supreme Court subsequent to that required _____ to accept applications from people who fished with gear license holders for the first time in 73 and 74. Some of these fisheries as John said _____ you got permits, at the fact...with zero points because of studies of _____. The number was greater than the number of applicants. These things all together did allow _____ to some people, who that common sense would tell you that they weren't out there hauling gear in.

Anderson: May we have your name for the record?

Bogdinoff: My name is Jordan Bogdinoff, and I did fish in Bristol Bay, and I fished in 66, 70, and 71. In 72 I was unable to fish because of problems I had with my vessel. I was never issued a limited entry permit. _____ not audible _____. The permit I was referring to was a permit that was issued in Cook Inlet. I even have in my letter here. I would like to give this letter to this body so they can look at it. In this letter I have documentation of individuals, families _____ not audible _____ and I still fail to see where these qualified...would have qualified.

NOTE: section not audible.

Anderson: Before we get too far off, I would like to hold this to a minimum, because we are running on schedule. If you would like to get together with Mr. Langdon or Ella Anagick a staff member they could sit down and talk to you. And I would like to have a copy of that letter.

Bogdinoff: I would like to distribute a copy of this, I do have 20 copies here.

Anderson: Thank you very much.

Mr. Doug Pope: Senator and I have 2 meetings going on at the same time and _____ not audible _____.

Langdon: I would like to turn now to the question...to new entry into the fisheries, and give a little on the information on the summary that the survey has turned up. We sent the survey to 202 institutions, 54 processors, 110 Alaska banks, 29 credit unions, and 9 Seattle banks. We received a reply from 74% of 149 responses. Of those responses 97 or 64% have indicated that they have not financed, in any fashion, purchase of permits and the banks specifically stated that as a matter of policy that they do not finance that type of loan. 7 credit unions and 6 processors gave an indication of this. In the responses there was also indications of indirect financing by 2 banks. That is, they give loans on expenses and they have no idea how those finances are used. But they did feel they could be being used for permit purposes. One of the difficulties in using this information in what I would call a framework that we could make some meaningful judgements about with regard to fisheries. The banks don't necessarily keep the records which regard a particular fishery that the permit was given a loan for. They can tell you which branch of the bank, and how much the loan was, but they don't know what fishery. It would require a significant amount of effort on

their part. So therefore, the problem in terms of really understanding this form of capital, has been used to get into the fishery on a fishery by fishery basis. But we can get some overall natural analysis on...terms of the amount of dollars.

The second category that I would like to address in regards to entry into the fishery has to do with the state loan program. _____ not audible _____ and in the response to the Wilkerson audit in the spring. I guess, the entry indicated that they were, at that time, 33 loans from the state that involved permits in some way. That individuals had been able to obtain, thru them, thru May of 79. By August of 79 the implementation of new legislation with regard to 90% collateral _____ of the permit. The state loan program had jumped to about 66 and since all this the loan program has jumped up to 95. Now this tremendously rapid rate of permit use, mind you,...let me comment on that briefly...In the loan program, I haven't been able to get at this, all the data, because of the rapid rate. And I should be able to finish that all up within the next _____.

Gardiner: When you say 33, that was the total of the program, and now it is 95.

Langdon: At the end of August, Terry, there were 66 and now there is an excess of 90.

Gardiner: That is all total, there wasn't 66 new ones.

Langdon: no, there was not 66 new ones.

Langdon: Now I want to turn to the...Because of the program, because of the collateral of the _____ you are discovering people in the fishery are using the permit to collateralize to get into another fishery. This accounts for a possible 30% of the loans since July 1st. I would say another... It would appear to me from the records I have analyzed that it looks like another 15% of those are what I would regard as re-financed. Now we have a problem here because often times individuals will submit their applications to the state and then they will get interim financing from a processor or a bank. And it will look like the processor or the bank in getting paid off, when in fact the loan has been submitted already. So, the difficulty in categorizing which of these are re-finances. What I did,...what I would do conceptually is say that those, of which the permits has been owned over the years before the application is finalized, is in fact, aspect of the finance. Now the definition that the commercial fisheries loan division used for re-financing is that if 50% or more of the loan is in fact re-financing. Now what we might have is a permit holder paying off the final 3rd of his permit purchase with a lowered state interest rate and there are about...like I said about _____. This leaves about an additional of the loan that I would say are in fact new entries by individuals who have not held permits before. Again, these are preliminary figures, that I would not use them until my final report is together.

In the work that I have done in other sources of financing, I have made some inquiries from the Bureau of Indian Affairs, Mr. Halverson there, loan officer, said to his knowledge, no BIA financing has been used for permits. I have talked with a number of regional corporations executives and was here that there are some local corporations that have assisted in or in fact engaged in permit purchases but it is less than 10 on the statewide...

Let me turn now, as quickly as I can to regarding socio-economic impacts. This can only be raised upon the data that Dr. Rogers and Jack Kreinheder developed thru 1977. If we were to examine the gains and losses on a strictly Alaskan non-resident basis we would find that in 1977 net earnings of power troll,...for examples for Alaskans who make major gains, net earnings were 18,000 dollars. 69 permits times 18,000 dollars is or gives you a net return to state residents of 180 thousand for the power trollers. Another major gain area by state residents was in the Kodiak purse seine fishery. Kodiak purse seine fishery, 1977, had net earnings of 29,627 dollars. 9 times 29...627 dollars give us net return to state residents of 266 thousand dollars, based again on 1977 data. Looking at the other side of the ledger in the southeast purse seine fishery, where 23 permits have gone out-of-state, net earnings which were at a gigantically high level...I would point out for the southeast purse seine fishery, 56,560 dollars translated into a net loss of 1 million, 296 thousand, 880 dollars, and the Bristol Bay drift gill net permit, in 1977, net earnings were 10 thousand and 11 dollars. 29 permits came to a negative 300,000 dollars there. Those are just some of the major plusses and major minuses.

Let me talk just a little bit about the two major cases of impact on rural economies in the state. The southeast purse seine...we had a loss of 27 permits, translated to 1 million and 1/2 dollars. In net earnings based on the 1977 data and in the Bristol Bay drift gill net fishery a loss of 43 drift gill nets amount to a decline of 433,000 dollars in resident earnings.

I'm just completing, and again_____.

A couple of conclusions, as you can see there have been some shifts in the holders of permits which I think are the least significant. That they are not necessarily overwhelming at this point. The most important trend that I think, to the committee and the commission and the legislature must address the decline in the rural holdings of permits throughout the state especially in regions in which that is the major economic foundation. I think there is a couple...let me first make a couple of case examples. In the purse seine fleet in the Southeast and in the drift gill net fleet, the drift gill net in Bristol Bay..Bristol Bay_____ and it has excellerated since then. This is the same in as you see kind-of-a U shaped curve in terms of the rural residents in Southeastern Alaska,...that they lost the most permits in 1977 again when the permit was at it's maximum value. These have some important implications for the AYK fisheries..I think. I would guess and suggest that there is a threshold at about 15 thousand dollars when a permit price reaches above 15 thousand dollars..that the attractiveness of the windfall gain to rural residents was relatively low, annually becomes extremely high. Thus far in the AYK fisheries the permit prices are below 10 thousand dollars. That is what the CFEC's data has. I think there are a number of reasons for this, why this occurs, and I would divide them into 2 categories. There are selling reasons. Why and individual will sell and there is the aspect of the buying side. Why they cannot purchase. The reasons are for selling are as I have indicated, much lower average annual earnings out there. So that the marginal value of a permit windfall from the permit is much higher than to individuals in urban circumstances with higher earnings. It has a lower opportunity. In addition it would

appear that from the discussions I have had with a number of people in Southeastern Alaska that the windfalls are usually used for upgrading homes. In other words, there is a high degree of relative deprivation and the windfall is used to upgrade housing and upgrade the standard of living variable for people on the short term. So, when they have that high demand schedule the likelihood of selling is much greater. On the buying side, why are there...and the data from the state loan program it is very difficult for. Probably everyone knows that the people who handle collateral that enter into the private finance sector the new legislation should aide in that. The state legislature...but up until that new legislation people were required to have some collateral, some variety to be able to use the state loan program. Loan officers indicated to me that crewmen in these fisheries, particularly familial crewman, are often unable to indicate their own earnings history because the earnings are accrued to the permit holder they have no ability to display their own earning power, so that their capacity to meet state criteria for debt servicing is very low.

I would suggest one final important and interesting thing, to me that is very interesting and that is how in terms of how the permit is going... One of the things is that there is a certain amount of fit between certain permits in terms of the kinds of runs. That is, how does one permit fit to another permit. So for example, a Lynn Canal gill netter would be extremely attracted to a power boat permit so that he can fish the early season and go up and fish Lynn Canal. There are these kinds of patterns you can see emerging, but I didn't tell you them directly, that is what specific ways are people moving to diversify their permit holdings. There are there...but I can't give you any concrete data on that. But I would say that in those regions of the state in which you have alternative non-limited fisheries, Southeastern, Prince William Sound, Cook Inlet, to a certain extent, individuals are able to capitalize in other fisheries and use that collateral and debt services...to enter a limited entry fishery. In areas in which there are no other fisheries, that particular capability is unavailable. I don't think that we will be seeing many Kotzebue Sound gill net fishermen buying Prince William Sound drift gill net permits. On the other hand we are seeing Prince William Sound and Southeastern gill netters entering into the Bristol Bay fisheries, because of the earnings. In terms of the relative earnings of what is going on there not audible. That is the end of my testimony.

Bogdinoff: I have one question. With the loan program, do you feel that the loan program is inflationary in part or in buying a permit?

Landgon: Being, not a financial expert, I would say that it would appear to have some inflationary effect on...I would think that is probably true. The intent of the loan program is to enhance Alaska's residency, and I presume that most legislatures or public would assume that is a reasonable cost to enhance Alaskan residency.

Anderson: Any other questions? Any of the committee members have any questions? Go ahead, may I have your name please?

Josepheine MacLain: My name is Josepheine MacLain with the Southeast _____. When you were checking into financing of people who borrowed money to purchase permits did you have any method of checking on people who mortgaged other things to buy a permit?

Langdon: Well, I asked what kind of collateral was used. And yes, in fact in almost all cases, also in the State Loan Program, virtually you would always find real estate used as collateral items.

MacLain: But going to other _____, such as mortgaging other items.. if you just re-mortgaged you house, the might not know why. _____ not audible _____.

Langdon: All I have from the banks is what type of collateral they required. In almost every case they required unsecured collateral, _____ and it is usually in the form of real estate, or some other holding.

Anderson: I don't want the questions to go to long because we do have committee members that do have other commitments today and I'll take just one more question and that is it because we have other staff people that have to make their presentations. Steve does that rap you up pretty much?

Landgon: I'm done.

Anderson: Are you going to have something in writting for the committee?

Langdon: Yes, when I finish with this analysis.

Anderson: Yes sir, could I have you name please?

Ed Wingus: My name is Ed Wingus. You stated that the income for the _____ the net income was 1,800 dollars.

Langdon: Net earnings. I don't know if you have seen the document that Jack and George prepared, for the years from 69 thru 77. What they presented go ahead Jack.

Jack Kreinheder: _____ statement not audible.

Anderson: Thank you very much Steve. The next presentation for the committee is Mr. Doug Pope.

Doug Pope: Thank you Mr. Chairman. I am distributing a work draft of a bill that primarily deals with the Upper Yukon. A few changes in the law in regard to limited entry permits. Statewide those changes are only to accomodate the matters directed to the Upper Yukon. Before I get into the bill I might discuss other matters first in order to sort of lead into it. Last time we met in Juneau the committee left themselves..... this time the question of researching the number of very serious constitutional questions that the legislature and the people involved in the fishery had to deal with if they want to address limited entry.

Last time I advised the committee that I was going to _____ necessary

to my perspective to regard the Upper Yukon, research these questions in order to accurately determine the perimeters of any change, and I felt it was necessary to retain consistence in doing that because it was such a massive project. One, question that we were concerned about is the limited entry not audible. After that meeting I began doing that research and it led me to a number of areas...to the point where I ended up analyzing the entire act. All the...and finding out what the constitutional deterrents were with various provisions of the act. The information is presently on the mag cards..right now, as far as a memorandum goes, it will be made available to committee members at a later date. I think the conclusion in those memorandums should be viewed by the committee members prior to me discussing them in particular in the public, in a meeting like this. I have made some preliminary conclusions and I would like to address those first, because the limited entry act is not in the senate resources. First of all, the question is whether the legislature should modify, or otherwise revoke of privileges of the limited entry permit. At the last meeting I was of the opinion that there may be some substantial problems. And I would like to advise the committee that I have completely reversed my position on that. The legislature has no limitations on the power to modify or revoke or otherwise effect in any way the by limited entry permit. I could lead you thru a long analysis to get there, but that will be contained in the memorandum that is coming.

Now in reaching that conclusion about whether limited entry permit is property the entire scope of the act. In doing so, we researched the entire history of the constitutional amendment, the entire history of the act. I read the economic that sort of considered the of the Pacific Salmon Fisheries. When you talk about the need for to achieve adequate biological management of the fishery. We researched all other limited entry acts that are presently in existence. We researched all known cases that are on limited entry situations, both state and federal. They are quite a few actually, probably about 25. So with regard to the retaining of Mr. Wagstaff, I..., he has spoken primarily in his...in conjunction with him...four key questions. Property questions, the initial question of does the state under the limited act...what are the limits of the states powers to set provisions on the number of permits. And we have concluded that it is unlimited. The state has unlimited powers to set the maximum number of permits. Consistent with...I would say that unlimited in the sense that, as long as it applies to the purposes set up in the constitutional amendment. I think there is a limit as far as the state pulling arbitrary numbers out of their hat. The present hardship definition is whether those had any constitutional problems and the question they do present, constitutional questions, whether they present problems I'm not prepared to say yet. I have not yet made up my mind. The filing.. that I think is the key question with regard to the purpose of the limited entry ...is whether it is a legitimate state interest..for the state to set a optimal number of permits based on the purpose of maximizing the..an economic yield. And I believe that, as I explained to the people before at breakfast, that there are limits on that power. I'm not sure exactly where to draw the line, but if at some point, the contracting, the number of permits at any given fishery in order to achieve that economic yield...I think will violate federal constitutional line is but intend to find exactly, and respond to the committee.

In the _____ with memorandum. Now after doing the research I identified the key areas of concern that the committee should be aware of. Now I don't want to sound alarming, but, because I believe in identifying problems that you also have to _____ in the solutions. I'm not prepared to say whether any of these problem areas are _____ constitutional, but I believe that they raise significant problems. But, I also believe that every problem that we have identified, there are ways to deal with the problem. I think the primary thing that we have to accept is that the ...any system that is totally static will likely meet constitutional problems after any given period of time. I think right now we are looking at some of the turmoil from _____ fisheries _____ not audible _____ were still in certain stagnants. So I think the key to all the problems is for the committee to pursue more information gathering so that we are prepared to _____ problems of the future whenever they arise. Now I will get into my recommendation...for limited entry, statewide.

So a key area of concern, free transferability does stand in the stature right now and I think the matter is substantially determined. The problem is you have a circular problem. When they passed limited entry in 1973, that is when the legislature did, some members are here who were in the legislature at that time...The legislature believed that free transferability was a way to avoid the problems of a closed class. And I believe that does avoid the problems of a closed class. But, the other problem you often have...you still address is the problem of creating a special privilege fishery which is not in any way abolished or repealed by the 1973 constitutional amendment. I believe that there is a ...some people...that there is a mistake in the impression that the constitutional amendment abolished that provision, and certainly did not. _____ not audible _____ and it did not. The fact that it specifically avoided...that issue, and _____ on much narrower ground. They have a circular problem ...to try to avoid a closed class and at the same time having to avoid a special privilege. And at this time I would say the one key within the problem of free transferability, quite likely the most, is the one situation that the court may look at as the most alarming, is the ability to transfer the permit thru the state without any particular qualifications of the transferee. There are other problems that we more specifically addressed in the memorandum, but I don't want to take up the committees time with them now.

The next key areas of concern are the hardship definitions. Now hardship is... the act conceives that hardship will give the original means of allocation and that free transferability will be subsequent means of allocation for transferability. If hardship, and there are some projections that hardship should be, should continue to be utilized somewhere in the apprenticeship program _____ not audible _____. There are some substantial concerns w'en we are addressing hardship and I would say first of all that I beleive that any definition of hardship is based upon community hardship rather than individual hardship. In fact it would stand constitutional challenge. I already think it has been ruled directly by one court. Hardship based upon the standard of living in any given community is in very, on very touchy ground. If you base hardship upon the standard of living or unemployment factors in any given community, then I believe you are going to run into federal problems unless you make that applicable in any community within the United States.

I think that is a lesson in both the court, in the local, the supreme in the local _____ indicated that they might be interested in _____ if they are based upon unemployment statistics in any given community. But they weren't restricting those to Alaska. In other words you can _____ in any rural community in Alaska because they have high unemployment.

Now hardship by exclusion, by the fishery, which is the present standard is probably ok, although some people question it. I have read one memorandum by a federal judge for the United States..I'm not sure, I can't remember.. _____ Louisiana State University by exclusion of the fishery is quite likely unconstitutional. I don't believe that memorandum is very well thought out. But I believe that we will _____ for a person who has hardship that has never fished. Getting back into the circular problem of closed class...now so far there has been no challenges in the hardship definition, most people want _____ not audible _____. I believe that quite likely the system of hardship chosen by the legislature, and subsequently implemented in the CFEC's ..will withstand a constitutional challenge and whether that definition of hardship could be used in the future to continue the _____ the question, because then you get back into the closed class question. But I think that that is a problem that can be worked out...and we are going to try to work out in this bill here. I have already addressed the options of the number of permits.

Gear licenses. My professional opinion that the Apokadat case is going to result in stricking down the gear license requirements. I am sort of laying my professional reputation on the line, due to the fact that I believe that opinion is coming down any day. Tomorrow if it comes down I might be looking for another job. I believe that is true, and I don't believe that it is going to make the havok that most people believe it will. But I believe it will require a fundamental analysis of the whole hardship definition which I think is healthy. Continuing the analysis will allow us to finally fashion a bill that will withstand future challenges.

One other key issue that we are very concerned about is whether any of these items I mentioned...free transferability, hardship, opting the number of gear licenses, are fundamentally the purposes of the act passed in 1973. Now this again is Supreme Court policy, a little bit when you start analyzing this kind of an issue...basically many courts once they let us say when they particularly look at a issue or a particular section of the matter, and then determine that that section is unconstitutional they next look to see if that section is fundamental in terms of the whole act. If they determine that it is fundamental, then they dump the whole act. And I think that... I have proceeded on the assumption that the committee desires to continue a program of limited entry in Alaska, and so I have been considering structures that would withstand constitutional challenges. I believe the courts were to eventually decide that free transferability had significant constitutional problems, that there would be very little room for the CFEC to administer the act as presently they do, and therefore the whole act itself would be endangered. So, I believe one of the...Yukon, Upper Yukon bill, that began to flush a structure, that I believe that probably..a particular...only to the Upper Yukon at this time, if there is a constitutional challenge in the controversial section that the whole structure can withstand the shock, ...and make subsequent decisions.

Now use it or lose it, has been thrown around. Qualified transferees has been discussed...the whole problem with qualified transferees is the definition of who is qualified, and I have already addressed that. But we have to be very careful there that we don't create a closed system or make a special privilege for the transferees or the transferors. face a constitutional challenge in the future. Use it or lose it, I've researched that and thought about that alot. I don't believe that has significant problems, but I believe it has significant administrative problems attached to landing, specifically, the salmon fishery. I think indicated by the salmon fishermen that I have talked to ther have been quite a few that...some fisheries use it or lose it requirement based upon landings...will not have a desirable effect, resulting in unjustly terminating those peoples permits. I believe there is an alternative way to reach the same policy _____ not audible _____, the Upper Yukon bill.

Now with regard to the apprenticeship program. I think the legislature should spend alot more time in evaluating. There are significant, substantial constitutional problems that have to be addressed, in order to avoid a closed class situation and to avoid a preferences to so called qualified transferees that exclude persons who on the federal and state level getting into the fisheries.

I don't think that any of the problems..I want to emphasize this...are insurmountable. Infact...as I said..I am much more optomistic about the.. than I was..about the ability for the system to withstand any challenge.. than I was a month ago, because..since I've identified the problems and looked at solutions.

Now with regard to limited entry statewide. Let me make a brief recommendation in order, as I said I believe we should look structures that can withstand the shock of contrary rulings of the court. If we don't then the legislation will continually be reacting in a crisis atmosphere. The limited entry bill, as drafted here for the Upper Yukon, is no...it needs alot of work. I believe that it can withstand the shock. For example, free transferability..whereever struck down by the state or cut over for it...it would be very _____ for the limited entry commission to roll over, to roll out the decision to continue to implement the act.

I think one might..when people passed the act in 1973 they considered it... Commercial Fisheries Entry Commission would have alot of work on their hands initially and then sort of wither on the vine. _____ not audible _____. I believe that that...and anyone continuing at present should re-think their thoughts. If the CFEC is to..if limited entry is to withstand the challenges in the future, the CFEC must have the flexibility to act as an ongoing dynamic institution. So one of my recommendations is that this committee should continue in effect to help the commercial fisheries, work with the CFEC to develop an adequate budget plan with any problem that we are seeing now and might see in the future..And I think the budget should include the gathering of information from both the fishermen and various experts with regard to some of the problems so that the legislature would not have to act in a crisis atmosphere. I think this committee should continue in formulating plans, and initiate and develop critical data base other than what we have. That goes hand

in hand with the recommendation about the entry commission. One... this bill in the Upper Yukon recognized that there are some fisheries in this State that are mixed with fisheries. And that commercial fishery is dealt primarily to supplement economy. The...we have concluded that part of the purpose of this bill...because if you went and researched the Upper Yukon..I think there are other areas of the State where I believe the commission should identify fisheries that are not in identity with the major fisheries in which limited entry was enacted. In conjunction with that, I think it would be very helpful if members of the committee and certainly key consultants sat down and perhaps worked out what information requirements we thought were needed for the future and then a decision could be made...how we wanted to approach_____.

Finally, as I said I believe the state should consider not audible_____. As I said I am going to sum all that analyzed and memorandum and I will supply that memorandum in doing that that research and diagnosed conclusion trying to prepare the work product for the Upper Yukon.

If there are any question with regard to that, I'll stop now and then begin to get into the Yukon itself.

Ella Anagick: I have a question Doug on the analysis..on the hardship requirement. Under the economic hardship eligibility requirement in terms of looking at the community base you did not eliminate the eligibility requirement aimed at the individuals.

Pope: All I am saying is that give anyway to a community hardship you have to, you cannot discriminate against communities in any other state.

Dr. George Rogers: I don't think we intend to.

Anagick: These are communities that are substantially dependent on fishing as a primary source of income.

Pope: I don't think that that is going to withstand much.

Rogers: I don't think the conclusion ought to fisherman who have to fish...not audible_____.

Pope: No, no.

Rogers: It could have an effect on some rural area in the State of Washington.

Pope: I'm not sure you are going to be able to focus on communities that have these substantial reliances on fishing either or persons who are..I think that is an area...that is an area that needs alot more research. Because that most certainly..that act is..anything that was passed in that nature would be challenged on the grounds of in any court...infringement upon state commerce..Those federal issues as well as equal protection. There are some cases that have dealt with the problem already. I'm not totally negative on it, I'm just saying we better look at it alot harder before the legislature signs off on it, or we will be right back in the situation that,...the first 3 times that

the legislature tried to some sort of limited entry scheme struck down. Like I said identifying these problems leads to the solution and we will be like ostriches if we don't spend alot of time thinking about other aspects of it.

Anderson: Are there any other questions? If not, Doug go ahead.

Pope: Ok, Mr. chairman with regard to this bill...The last time we met I promised the committee a rough draft of the report. I saw about 3 weeks ago that that was going to be..in order to have a report and at the same time have any kind of a working draft not audible draft a structure that would fit the specific needs of the people on the Upper Yukon, and at the same time made my final conclusions in the report as to whether the entry unjust discriminations against any persons that a be able to work that into the bill the way it stands. I guess what I am saying is that the structure is here but it needs alot of flushing out. I have discussed the structure with, the specific languages with members of the UFA, Limited Entry Commission, with various key legislatures, members of the Board of Fisheries, and it is clear in my mind that there are transitional measures that will have to be worked out, that there are definitions that will have to be cleaned up, and there are some definitions that are left blank, infact..but I believe that the underlying content behind the bill can be clear from reading it. The research on the Upper Yukon is complete. Fairly complete anyway, you might..it hasn't been enough to circulate a rough draft. I have one preliminary conclusion and that is gear license requirement with regard to the Upper Yukon, results in unjust discrimination against a number of persons who have yet to be identified.

That is somewhat on my agreement with Judge Carlson, in the Apokadak case that gear license requirement is in violation with equal protection clause and I believe that the gear license requirement for the Upper Yukon is even more acutely more unconstitutional than it is anywhere else, primarily because of the nature of the fishery an supplement to the economy recognize for example that the officially over the commercial until 1975.

Some of the key aspects of the bill are to develop a new formula for the maximum number of permits and to release the optimum number of permits required for the Upper Yukon. I don't think the concept of optimum effort to achieve maximum economic in the fishery, the..the..as I said not audible and is still economy. The other major aspect of the bill is that we don't have enough information to make any conclusions in regard to the Kuskokwim or Yukon. I have information that they are distinctly different than the Upper Yukon and perhaps that..the Kuskokwim... most certainly there is someplace on the Kuskokwim that we can draw a line where the commercial fisheries still supplements the economy. I don't know where to draw that line. I need more information to make that statement. The.. other key element is that for providing an opening period, provided new hardship definitions, the limited entry act the way it stands now has major hardship and minor hardship. This opposed bill poses 3 hardship classes. The new class that I refer to the bill not audible major hardship class, is the same class as the..with a few modifications, as the old hardship. There has been sort of a class in the middle between the not audible.

The act required a permit to requalify every 5 years. It doesn't have 5 years in the bill right now, but I believe 5 years is an appropriate time. You have to remember that the river has had every _____ total landings, fishing efforts, the only mobility is the _____ set net or to move a fish _____. At the same time the permit should be re-qualified every 5 years and I still recommend that the maximum number of permits be re-estimated during that 5 year _____, based upon provisions requirements that take into account not only the economic needs of the commercial fisherman and the subsistence necessary for the allocation of the river. I don't believe that the ...we will see any large increase in the numbers of the permits, but what we are trying to build into this process is the flexibility. As I said there is no optimum number of permits..provisions..the Upper Yukon is presently in _____ not audible _____ I have sort of already tried to fix those. I believe it may be necessary to re-define or to _____ not audible _____ by the Department of Fish and Game the purpose for breaking them down to a management area districts sub-districts _____ not audible _____.

The bill requires set net _____ be the only unit of gear on the Upper Yukon. The bill has a new provision which provides for family partnership permit. I think that section needs more flushing out, but the basic context is that if any member of a family who is denied a limited entry permit did not receive one then the members of his family can accumulate hardship in order to obtain the family partnership. They will provide for special interim use permits _____ CFEC...if they decide that there will be a large amount of fish for a year, for example, they will issue one year permits _____. Now, that dovetails together with the requalification of the permit, _____ not audible _____. And finally, the bill specifically gives power to the commission to set the maximum number of permits for biological units. I believe the commission thinks they have that power now. Biologically in it being either a different species, family or a different sub-species of the species. The reason I included that is the Fish and Game is really now just beginning to understand the fishery on the Yukon. Although they say they don't know much about it, and I agree, but they do know enough that just this year I discovered that a fall run of chum salmon _____ think biologically in it and that travelling different parts of the river, ruby and _____ were over on the other side. If you were to fish on the north side of the river in the fall, ...are fall chums, if you fished over on the south side of the river _____ not audible _____ and the...it provides both the opportunity to _____ not audible _____.

That is the major part of the bill, like I said it needs a lot more transitional measures. I think it needs _____ on the river, in order to accurately explain _____ on the river. Beyond that, the report, will conclude that what the state should take care of to improve the Yukon condition in regard to international fishery, fishing. There is an inappropriate catch...that I see salmon that are dying in the Yukon river by _____. There is a recommendation which regards that in a form of a resolution and also in certain budget matters, that the state would guarantee that there are some...at least one _____ biologist on the staff of the _____, going directly into the major _____ fishery and _____ programs in order to more accurately to identify biological units. There are going to recommend installation of what is known as _____ sonar systems on at least 4 major rivers. I am going to recommend installation of what is known as _____ sonar systems which I think hold a tremendous amount of promise for all fishermen, stimulation of fish quality of fish marketing, so to speak, that I think will probably be worked together. And finally _____ not audible _____.

Anderson: Any questions?

Gardiner: Doug, one thing I want to make sure of...if there is a family member, 1 member, that had already gotten a permit then there couldn't be another family permit.

Pope: That is true. The purpose, so to speak, is that if we are talking fishery that developes and still supplements _____ the it,...the family unit is so important, as far as fishing on the Yukon,...then what _____ do if family has an accumulative hardship in getting included in the fishery, then there can be one permit that has a partnership interest of all members of the family,...but if one person in the family has a permit then that would disqualify the accumulative _____.

Gardiner: Is that immediate then?

Pope: In the act it identifies, if you want to hear it.

Gardiner: I can read it.

Pope: I believe that section needs alot more work ,...in thought I'm sure that commission will have alot of problems with administration with a section like that. It is certainly not the intent of this bill or working _____ so far that _____ a program that creates an administrative headache or to the commission. I think they have enough now. I think that _____ is true of all sections, this is just the beginning.

Anderson: Any other questions?

Williams: _____ Mr. Simons comments are not audible.

Pope: Ya, I didn't point that out to you yesterday. I did somethings.. I didn't mean to imply that I just meant to make it very clear that I don't think the context of evern considering _____ is appropriate for a fishery, in fact _____ not audible _____. That whole concept, even if you are going somewhat less than maximizing, even if you are going halfway or whatever it is,...the definition in the act will save you, that does consider contracting the number of permits in certain fisheries, and that may be appropriate in the fisheries that have developed primarily from interstate markets that have a traditional and historic base. I don't think that it has any place _____ not audible _____. In fact it is my firm belief that, if the were, ...if the act of the commission were implemented that portion of the act for the Upper Yukon now _____ not audible _____ than the act has right now. _____ not audible _____.

Williams: _____ not audible _____.

public individual: I don't know if it is the way you presented it or whether it was the way it was drafted into the legislation, but there seems to be several areas where it looks like the commission may be _____ of Board of Fish, establishing the legal gear, apparently adjusting the maximum numbers based on our perception of the run forecast when I believe that the basis of the Upper Yukon catch should be established by quarter of the Board of Fisheries.

Pope: Sure it is.

Pope: This content invisions that,...and that is getting into the definition of the maximum number of permits is _____ if you set a ceiling on permits for a given 5 year period, and then it appears that you have an extraordinary run within that 5 year period, then there will be a much higher degree of commonwealth from the fishery not audible _____. In any event, if the commission can issue the one year permits in order to allow other people to partake in that commonwealth.

public individual: Excuse me, but it seems to me that before we can do that the Board of Fisheries would have to inform us that they are going to make more fish available up river.

Pope: Yes, that is true, except _____ not audible _____, but it is still going to require alot more cooperation between the department and the Board of Fisheries.

Anderson: Any other questions?

Mr. Ostroski: The reason I ask is that _____ not audible _____, Crutchfields senario carried through a total end, and the end would eventually put the resources of the fisheries, and allow different groups to bid on the fisheries. Now the context is as they put the _____ not audible _____ dollar value _____ not audible _____ is the 2nd step of the limited entry program that is they put the dollar value on it ..would push the people who aren't _____ out, the permits would fall under the control of a large cooperation and then the bidding procedure for the resources would then allocate the total resource including production, processing, and the marketing, and the whole aspect into a large corporate control. That was the staff commission report given to congress in 1959.

Pope: I agree with that. I think that the end product of trying to maximize that economic field is laying it right back where...in the early 1900's when the canneries wanted _____ not audible _____. But I haven't seen the legislature goint that far initially in 1973. This bill for the Upper Yukon takes us much further away from that.

Anderson: I would like to rap this thin up

public individual: _____ and it said that Mr. Ferguson, and he is from the Pelican...this is concerning Alaska's fisheries foundation which the state put 100,000 bucks into...and what he calls for here is that he advocates _____ not audible _____, which is probably commendable. But he wants to change the 200 mile law, which will allow any country with favorable relations status to make a written bid for the surplus stock within the 200 mile limit. _____ not audible _____.

Pope: Mr. chairman, one final comment. I would like to ...there is a defacto apprenticeship program in this bill, which is 3 parts _____ of the definition. The major hardship..the 1st and 2nd hardship is saying they are having a hardship now and they would be available for a permit. A person suffered significant hardship by being excluded from the fishery and that can be demonstrated during this 5 year re-evaluation...and he can demonstrate in 2 ways that is he has had an opportunity to fish on one of these special 1 year interim use permits, or he can participate in the operation of the _____ not audible _____. If during the 5 year

period the commission determines that the...that there should be more permits issued, or if at any time the permits are reverted to or revoked, by the commission the...those permits would be readily available to these people with significant hardship class. Now that concept still has...is bothered by a number of constitutional problems, but I think they can be worked out. But the intent is to provide an opportunity for people who continue to work in the fishing business to have some sort of preference to permits and that preference would be based upon hardship. That would be re-calculated on a 5 year basis.

I think the most significant problem is that....going to have to be dealt with preventing a closed class, so that in that sense I think that you might have to make _____ hardship for persons who want to fish in the fisheries and never have. _____ not audible _____. The other, I have chosen that...because I believe that is the simplest way to allow new people into...an opportunity to get into the fishery without stepping on someone else's...to paralyzing them in transferring permits freely. The other thing I would like to conclude with is, I don't believe that this particular structure is appropriate in any other commercial fishery other than the type very similar to the Yukon. So, I think, they should investigate the other fisheries and try to start them out. I think they probably pretty much know which ones they are _____ and can identify them. What the content _____ that I'm _____ is that tries to create a structure that hasn't quite the stability and also that can withstand the shock of contrary court cases, one that I think the committee should consider for all of the fisheries. But that is going to require a _____ of information.

Anderson: Yes sir. Could I have your name please?

John Dervan: John Dervan. You go back to the same thing of the old days of in the 60's...in any law, _____ 70 and 72 were recommended _____ and he has been in the fisheries ever since. He made a statement that limited entry had problems of the federal constitutional level. Looks like you got caught before the horse, you have to get a reading, what is constitutional, before you proceed, because it is going to cost the tax payers of this state a billion dollars.

Pope: How long have you been in this group?

Dervan: I have been in this room for approximately one half hour.

Pope: Ok, if you had been in here for an hour you would have heard me talk about it.

Dervan: I heard _____ of that. But, the main basic thing is for any program... should be addressed by the State of Alaska, _____ not audible _____, it can be done. If it's constitutional, before we spend another 10 years running around the court system.

Pope: Well quite frankly, this is a procedural problem,...impossible. You can't address questions, or rather current controversy in any court in the state or in the U.S. It has to be controversy, or happening at the moment.

Dervan: It should be...you asked the same question in _____, 6 years ago _____. I see people who were there when this business first

started, public testimony lasted 14 minutes. We were told whether we liked it or not that was what he wanted and that is what we were going to get. We will eventually end up in the Supreme Court. But it is the responsibility of the State to turn around and institute ...the case to the Supreme Court itself. Is what we are doing constitutional under this country.

Pope: I'm telling you that you can't do that unless you have already passed the law. No court will entertain a question that is not based upon a specific controversy. They dismiss cases like that all the time.

Dervan: But the basic thing is that it is the responsibility of the State to request from the federal government...is our law constitutional. That is not the responsibility of citizenship. It is the responsibility of the state to turn around and pass an unconstitutional law. Get it all over with, if it is legal under this country fine business, then we proceed from there. We don't want to spend the rest of our lives in court.

Pope: That is what we are doing here.

Dervan: You should at least have some room some where along the line that other groups....

Pope: I have told you 3 times now that you can't do that in this state. You can not pose a theoretical question to the courts _____. They won't even listen to us.

Dervan: But it is the responsibility of the state, not the individual.

Anderson: Mr. Dervan, thank you very much for your comments. We are going to recess until 1 o'clock. We intend to start precisely at one. And Mr. Williams I'm sorry we couldn't get to you. We'll take it right at 1 o'clock.

Anderson: Are we on the air. We will call the meeting back to order. I promised we would get going at 1 o'clock and we are only 7 minutes off, so...we are not doing too bad for government.

Our next speaker is John Williams, he is a commissioner with CFEC and he is here now, prepared and ready to give us his thoughts on late filers issue and all the commissions _____ addressing that particular issue. John you have got the floor.

John Williams: Thank you Mr. Chairman. There are a lot of facets to the late filers issue, whether than talk about all of the I'd just like to relay to the committee what the committee is doing so that hopefully we can bring more information to you during the next session. Because when you study this issue, hopefully, I will have as much information as there is possible to have to you as there is at the time. We have committed one full-time staff position, person to analyze all the available information that the commission can both obtain from the phone record and from various filing that have been made in various court decisions

and so forth, especially with Alaska Legal Services. What we hope to do by fiscal analysis, to estimate not only the number of new permits that would come into the fisheries if a new application period were established, but also to characterize those people by residency if they are residents, what part of the state they might be from. Inherent in that we are trying to do a probability analysis of how many permits would be issues if such _____ created worth establishing.

Public: We can't hear you.

Anderson: Please speak up a little bit.

Williams: Do you want me to run through it again quickly?

Anderson: Sure.

Williams: The commission hopes to present to the legislature this next session in summary form all of the available information regarding late applicants, non-applicants, how many there are, what their characteristics are in terms of residency and location of residency with the state. And some sort of a probability estimate as to how many permits might be issued into the various fisheries if a new application period were established. We can save discussions of the much broader issues of the application period for the legislative session.

Anderson: Do you have any idea, any rough estimate?

Williams: No, no we are still compiling the characteristics data on those people. We have a complete listing of those people who did not make application within the application period. Based upon our commercial fishery entry file, data which are the years 1969, well we will go 1969 thru 1974. We will have it ready for you by the time you are ready to talk about it..in the legislature...for sure.

Gardiner: How many applicants does that total up to?

Williams: I think we have a pretty good summary of the fishermen's file from Alaska legal services in your packet there. They have given me some gross numbers of the applications that were received versus the total number of potential applicants that appeared on commissions fishermen's history file.

Gardiner: Would you say like 360, I guess that's _____ figure. _____ not audible _____.

Williams: We will have it for all fisheries, and we can give you some rates for all fisheries.

Gardiner: Can you give us the number that would be, that if we opened it up would apply...and made an estimate...how many of those would actually qualify for permits.

Williams: We have no idea how many would apply in terms of...we would tell you how many were eligible to apply under present law.

Gardiner: But you are also going to give us an estimate of how many you think might qualify ____ not audible _____. There is 360 people who could qualify ____ not audible ____ and you estimate 25 people could qualify for permits.

Williams: And then we would give you those characteristics, those 25 people characteristics as to residency, non-residency or residency in the Bay area. That is all I have.

Anderson: Thank you very much. Is Ella going to be working with you on this Ken or do you have the..

Ken Vasser: Well I have the ____ not audible ____.

Anderson: Well is there anything you can handle right now.

Vasser: Ella did ask me to respond to Doug's comment about the community standards, the community hardship and in that regard I think that I can offer some response.

Anderson: Do we have something in our packet here from you?

Vasser: No, she just asked me just this morning, after it came up, if I would discuss that a little bit.

Anderson: I wonder if there would be any wisdom, waiting until Doug got here so he could hear your viewpoint on that and I don't know ...do you know if he is coming back?

_____: I know that Senator Sackett is going to return, but I don't know if Doug will be here.

Anderson: Would it do any great violence if we shifted the order of presentations. Right now we have got Dr. Rogers on the economic hardship area, and recommendations for further committee action, and I'm sure ready to proceed. If we wait until Ella returns, and hopefully Doug will return then we will get into your specific points about ...it will probably ...good for him to at least hear your views. Ok. Dr. Rogers do you have any objections?

Rogers: No not at all, as a matter of fact I think it would have been more logical if Steve and I ____ not audible ____.

I will quickly go over hardship. The contract that Jack and I are operating under is addressed primarily to that particular aspect of the limited entry program. In order to get some idea of the background of this economic research that we are doing. In 1972, when the board amended the State constitution to clear the way for the establishment of a limited entry program.. one of the reasons for doing this was stated in section 8 of article 15 to the effect that it was to prevent economic distress among the fishermen and those that depended upon them for livelihood. There are other things, conservation of the resource and the development of the fish aquaculture system, but this one of the three reasons for ____ to the ____ of a limited entry program. As Doug Pope mentioned this morning, the criteria, economic hardship criteria of

This is in terms of the economic law. _____ not audible _____ amount of investment you made in the fishery particular group of people, people who are qualified and license holders of the major years. If prior to the _____ limitation of the program. So we are talking about a special group of people, we are talking about economic hardship that this particular group suffers. And of course left out of that is economic hardship that is subsequently suffered by people who were later left out. Now in going over the legislative history of this there is considerable debate about what... so they directed the commission to study the free transferability alternatives in the year following. And the study was done... free transferability... that is the way to go. It was pointed out that the prices would rise, but it was assumed that they would not rise all that much. You must remember, going back into the late 60's that... and early 70's, that the fisheries in Alaska were in a recession and that the fisheries in particular were in very special conditions. The fish runs were down, the distress of the people, especially in the Bristol Bay area were acute and it was very difficult to think of the conditions we have today. And we talk about more fish than we can process in Bristol Bay and we talk about people trading permits at the prices that there are going for right now. So that the definition of economic hardship at that time looked, in the context taking people there at that time who qualified would assume that those that came after would be living in the same sort of environment and that there would be no _____ in the judicial act _____ fisheries, in the fish and gear operation thru crew membership or family ties.

The material that Steve showed, presented this morning, showed in a way that there are indications that, not because of limited entry program but because of the changed economic conditions, certain things that happened, the credit patterns are _____ in ways that were not anticipated, the type of permit effectively blocks the entry of young people and so on. So at the time our contract was drawn up, it was September, this year, not last year, it was decided that what was needed, by the committee and the legislature were some basic economic data. And so the contract was addressed to the assessment of _____ of economic well being of Alaska's fishing communities. Written on a data base of development of legislative solutions to the limited entry program, problems, to work with Steve on the study of what the impact of economic permit changes has been or might be, and otherwise to provide economic impacts of the whole amendment... to the legislation. What we have done is to look at something beyond the personal individual economic criteria of the 73 legislation. Let's say that might be _____ a given group of people, those that qualified to be applicants for permits. _____ upon that if you eliminated a number of people at that time and a number of people in the future. Those criteria were based upon economic loss, which is a legitimate form of hardship. But going back to the constitutional amendment, it talks about economic distress, which is something different. It talked about economic _____ of fishermen, and those who were dependent upon fishermen and their activities for their livelihood. In other words what they are talking about was a _____ centered around fishing activity. And this is the _____ of the constitutional amendment. I am not a lawyer, I am an economist, and I put these things in a logical sense of a way. What Jack and I have been working on is a compilation of data that we hope will eliminate this. And I've got to reiterate some of the things that Steve said this morning about data.

First of all they are guesstimate data. There is no official recognized _____ on the fisheries employment, for example...we have data on the number of permit holders, we have data on the value on the landings the fisherman made, that we assume is their gross income. We don't have any specifically on the number of people involved. So the first task we had was to estimate fisheries employment in a way that was realistic and that was also compatible with other employment data estimated by the Department of Labor. _____ not audible _____ contained in the _____. The other thing was we had to have some way of arriving at a net revenue. We had what we called a gross figure, it was an approximation based on taken the volume of fish and multiplying by the average wholesale price of the season at that time. But as Jack pointed out, was..... the only cost surveys that we had were ones that were done in 1973 by the CFEC. So we did the best we could with those. So those are 2 sets of data that we had to put together to fill the gaps. The second thing that Steve pointed out was the _____ in the data. Most of _____ not audible _____ in 76 was a few years back, and the _____ not audible _____ was in 1977. So this is the end of 79. This is something that _____ always corrected by adequate attention made to the needs, if we are serious about managing this sort of program....If we are serious about managing any program for that matter, of having timely data available, so we can know what is going on now, not what happened 3 or 4 years ago.

The other thing that we had trouble with, Steve had to, is that we are talking about a relatively short period of years, even if we had all the data. We are talking about something like, from 1974-75, when the program is said to be launched, to something like 1977 when our data stopped, to 1979 if we had everything. The _____ not audible _____ of trend that might emerge.

Anderson: You have brought this point up, and I think it has been brought up before, and I think it is something that the committee ought to be looking at...a...the 2 years that we don't know anything about...Where is the problem there, and why aren't we getting that data? Who is responsible for developing that data and why is it late?

Rogers: #1, is that the Department of Fish and Game is responsible for getting out, processing fish ticket data, which is what we generally work from. This is a sheer task of manpower and computer time, with a few other things. The CFEC has a certain responsibility that John, primarily you are dependent upon....

Williams: We have got to have the fish tickets...

Rogers: That is right. So the thing all gets down to the processing of fish ticket data.

Langdon: I talked to John about this in October, he is the Fish and Game guy and he said, give me two more people and I can be up to date by January or February after the fishing period,...he could have that data for us. In other words he could have the 79 season by January or February of 1980. He might want to revise what he said...but essentially what he needs is two more positions.

Anderson: He needs two more positions.

Langdon: He needs two more positions on his staff to process that, to enable him to process that fish ticket data, to bring us within a 5 to 6 month lag. And he explained it in terms of the legislature and...I won't quote him on that.

Gardiner: Has anyone looked at the system. Is there anything to prevent like...you know.. they develop fish tickets every week, they don't have to wait 9 months. Then they go into the regional office, and then they look, the regional managers, and they have people doing things with them and then they send them to Juneau and somebody else does something with them. Why couldn't they punch them in right there in the regional office? Right into the computer or whatever....

Williams: Well the North Pacific Capital, under the _____ act of Fish and Game set up 3 main computers for the 3 regional offices. There is no person that is specifically responsible in the regional offices for doing that. Somebody has to come off of other chores to do that. And I don't want to belabor the point, but if I may do that, I would definitely want the opportunity to speak to the legislature, not only about this problem, but also about the problem we have with funding. _____ problem, but the use of that data. The Fish and Game has a specific use for that data. They take it to a _____ not audible _____. When the commission then takes that data, we have to take it to a much higher level...which for the hand troll fishery alone...we are talking a 6 month _____ process. So I am glad this thing is coming up because we would like to take it to the legislature and explain to them some of the problems the commission has _____ not audible _____.

Anderson: When you say the problem of other funding, are you referring to the CFEC's problem _____ not audible _____.

Williams: Both.

Gardiner: I don't think there is a problem of...except that they are not doing it in a proper manner. It is just not that hard of a thing to do to get that data. I mean they have got all the basic _____ data and it is just the matter of somebody going in and giving them a system...to, since they haven't been able to figure it out themselves,...as to how to do it expeditiously. I don't think it is a problem of hiring more people to do this inefficient process faster, because there is still going to be a 6 month lag. They should know at the end of the week what they caught and they do, but they don't use that data. And you can go into the regional office and say what did we catch this week, and they know right then. And then somehow they tell you a year and a half later that they still don't know. They do know, but it is a matter that they don't have their system set up right. I think it would be better to figure out the right system, then just give them more people because I think if we give them the right people we will still have a 6 month lag and the season will be over.

Anderson: Who did you talk to?

Langdon: The gentlemans name was Don Wanie who was in charge of computer processing.

Anderson: How do you spell that?

Langdon: w a n i e

Anderson: Where does he work? Here in Juneau? What is his PCN number?

Langdon: He is at the Subport building _____ with the office building here in Juneau at the Fish and Game.

Anderson: What I would like staff to do, some of you to do, is to...I want this taken care of. We can give the Department of Fish and Game a little bit of direction of how we think the problem can be solved without adding two more people to the bureaucracy.

Simons: I worked with the Fish and Game for a number of years and I also worked with the type of reporting that Terry has referred to, and I used to keep regular schedules with the canneries and get their deliveries about 11 o'clock every night. When last _____ are delivered I could tell anybody at anyone date what the total catch for any number of fisheries were.

But there is a difference between that and to create an accurate archives.. to trace participants in the fisheries,...the time the fish were taken and the specific statistical sub-area and create a census _____ not audible _____ and I think on the one hand the Fish and Game knows what is going on, on the other hand creating this archives is where you are getting into _____.

Gardiner: Part of the problem is the structure. We are not necessarily structured to produce the kind of information you are talking about.

Simons: Basically they are. But you can't do research with fish tickets, in many cases. You just don't have that much data, but essentially Fish and Game wants to know how many units are out there and how much effort they have got. We have to know who..who, this is where our accuracy with Fish and Game is _____. Generally speaking it is the editing, keypunch to go back to the printout, go back to the _____ and edit and here is the biologist that is getting a presentation ready for the Board of Fishery _____ trying to edit fish tickets, and getting that back in a timely fashion _____ not audible _____.

Rogers: That is right. It is a matter of priority, that they have to get that...

Williams: _____ not audible _____ has to assign somebody from the research section _____ not audible _____ commission would be more than happy to contribute to some of the problems that we see _____.

Anderson: Well, I think it would be proper for the staff to sit down and talk with you people, if...you know what the problem is so that we can identify it and bring it to the attention of the department or whoever makes the _____ decision and try to resolve it because I've heard _____ is a very serious matter and I can understand because we can't make a decision without that information _____ not audible _____.

Rogers: I had to _____ because _____ for years. There are two sets of _____ that Jack and I put together, they will be in there final form before the end of this month. When the contract is due. We did submit