

ALASKA LEGISLATURE SPECIAL COMMITTEE/SUBJECT FILES 8672

2318 SCOMM 95: HOUSE SPEC. COMM. ON FISHERIES 1995-1996

SCOMM

95:46



UNITED FISHERMEN OF ALASKA

211 Fourth Street, Suite 112
Juneau, Alaska 99801
907/586-2820
Fax: 907/463-2545

February 16, 1995

The Honorable Robin Taylor, Chair
and Members of the Senate Judiciary Committee
Alaska State Senate
The Capitol Building
Juneau, Alaska 99801-1182

Dear Chairman Taylor and Committee Members:

United Fishermen of Alaska (UFA) supports Senate Bill 3 regarding Anti-Trust Exemption for Commercial fishermen.

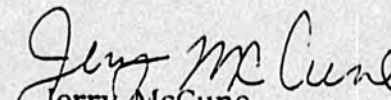
This piece of legislation was first recommended in the 1993 Alaska Attorney General's Report on the Bristol Bay fishery.

Fishermen need to breathe new life in their industry. This is one avenue to be able to do so as it gives the fisherman the ability to make collective bargaining agreements with processors.

We might still have to deal with Federal anti-trust laws, but this bill is a step in the right direction.

I urge the Senate Judiciary Committee to pass SB 3 for the fishermen of Alaska.

Sincerely,


Jerry McCune
President

cc: Senator Jim Duncan
UFA Board of Directors

MEMBER ORGANIZATIONS

Alaska Crab Coalition • Alaska Longline Fishermen's Association • Alaska Trollers Association • Area K Seiners Association
Bering Sea Fishermen's Association • Bristol Bay Driftnetters Association • Concerned Area "M" Fishermen
Cook Inlet Aquaculture Association • Cordova District Fishermen United • Kenai Peninsula Fishermen's Association
North Pacific Fisheries Association • Northern Southeast Regional Aquaculture Association • Peninsula Marketing Association
Petersburg Vessel Owners Association • Prince William Sound Aquaculture Corporation • Purse Seine Vessel Owners Association
Seafood Producers Cooperative • Southeast Alaska Seiners Association • Southern Southeast Regional Aquaculture Association

Ketchikan Office:
P.O. Box 9579
Ketchikan, AK 99901
Phone: (907) 225-5156
Fax: (907) 225-5258



Juneau Office:
P.O. Box 23081
Juneau, AK 99802
Phone: (907) 463-5030
Fax: (907) 463-5080

March 3, 1995

Dear Senator Duncan,

After extensive discussion and review it is the opinion of our board of directors that Senate Bill 3, relating to an antitrust exemption for commercial fishermen will benefit Southeast Alaskan Seiners. We support this bill and ultimately look forward to the congressional legislation necessary to make these antitrust exemptions opporative.

Functional, antitrust exemptions will facilitate fishermen and processors to more efficiently harvest, process and market Alaska's seafoods and achieve a greater value from these seafood products to the benefit of all Alaskans.

We offer our help and support in advancing this bill through the legislative process and thank you for your consideration and understanding of the fishing industry by bringing this bill to the floor.

Sincerely,


Jim Bacon
Southeast Alaska Seiners President

c.c. Senator Robin Taylor
Representative Bill Williams
Representative Kim Elton
Representative Jerry Mackie
Representative Caren Robinson
United Fishermen of Alaska



Cordova District Fishermen United

P.O. Box 939

Cordova, Alaska 99574

(907) 424-3447 FAX (907) 424-3430

January 24, 1995

Senator Jim Duncan
Alaska State Legislature
State Capitol
Juneau, AK 99801-1182

Dear Senator Duncan:

On behalf of Cordova District Fishermen United (CDFU), I am pleased to write in support of Senate Bill No. 3—*An Act relating to an antitrust exemption for persons engaged in the fishing industry*. CDFU supports SB3 for three primary reasons:

- **SB3 will clarify ambiguities in existing law.**

Under current law, it is clear that fishermen may harvest, process and handle their catch or prepared product collectively but it is unclear whether they may collectively see the fruit of their labors through to the marketplace. The current law is interpreted by some to mean that, after collectively catching or processing their fish, each individual fisherman must separate his portion of the catch or product from that of other fishermen and then attempt to sell that portion individually. CDFU supports SB3 because it expressly allows fishermen to collectively sell their catch or their prepared product.

- **SB3 will remove inconsistencies between state and federal laws.**

The federal exemption covers harvesting, processing, handling and marketing and is, thus, inconsistent with existing state law. This inconsistency creates an atmosphere wherein a group of fishermen may acquire an exemption from the state government and be in violation of federal law—and vice versa. Section 1 of SB3 rewrites existing law to make the state exemption virtually identical to its federal counterpart. CDFU believes this is an important improvement over existing state law.

- **SB3 will level the playing field for fishermen.**

Section 2 of SB3 places fishermen in a better position to obtain the best price for their fish by allowing them to collectively agree on the price that processors will pay to fishermen for raw fish and that processors will accept for the sale of processed fish. This will have the effect of leveling the playing field. Fishermen will be in a better position to obtain the best price for their fish by allowing them to deal with processors. Fishermen and processors will be able to put up a united front against the major corporations that dominate the world markets for processed fish.

The commercial fishermen who comprise CDFU strongly support Senate Bill No. 3. If you have any questions or require additional information, please do not hesitate to contact me at the number above. Thank you for your consideration.

Sincerely,

CORDOVA DISTRICT FISHERMEN UNITED

Dorne Hawxhurst, Executive Director

cc: Senator Georgianna Lincoln
Representative Gene Kubina

BSFA**Bering Sea Fishermen's Association**

725 Christensen Drive
Anchorage, Alaska 99501
(800) 770-6519 (Within Alaska)
(907) 279-6519
FAX (907) 258-6888

Serving western Alaska small boat fisheries since 1980

January 24, 1995

The Honorable Jim Duncan
Alaska State Senate
State Capitol
Juneau, Alaska 99801

Dear Senator Duncan:

The Bering Sea Fishermen's Association supports Senate Bill No. 3, "An Act relating to an antitrust exemption for persons engaged in the fishing industry", as positive legislation that will benefit commercial fishermen in western Alaska and statewide.

Western Alaska small boat fishermen, which BSFA represents, are engaged continually in a process of trying to develop and market fish products from their region. Their efforts involve species such as salmon, herring, and halibut.

By clarifying present law, SB 3 makes clear that commercial fishermen may join together to produce and market their catches, as well as bargain collectively with processors for better prices. In a region where there are few alternate sources of income, these activities are vital to the ability of western Alaska fishermen to strengthen their markets and achieve the best possible return from their seasonal fisheries.

Thank you for introducing SB 3. Please do not hesitate to contact our office if we can provide you with further information.

Yours truly,

A handwritten signature in cursive script that reads "Karl Ohls".

Karl Ohls
Fisheries Development Specialist

TONY KNOWLES, GOVERNOR

**DEPARTMENT OF COMMERCE AND
ECONOMIC DEVELOPMENT**

DIVISION OF ECONOMIC DEVELOPMENT

P.O. BOX 110804
JUNEAU, ALASKA 99811-0804
PHONE: (907) 465-2017

The Honorable Senator Jim Duncan
State Capitol
Juneau, Ak. 99811

DCED comments on SB 3

DCED supports passage of SB 3; "An Act relating to an anti-trust exemption for persons engaged in the fishing industry."

Currently, Alaska fishermen and processors cannot discuss price issues without violating anti-trust laws. This proposed legislation would help bring stability to the Alaska fishing industry and the communities dependent on this resource by allowing fishermen and processors to negotiate long-term price agreements.

Three years ago former Governor Hickel assigned DCED to head a Salmon Strategy Task Force to investigate the cause of salmon price declines. It was determined that increased world production of salmon had caused prices to decrease in recent years. Specifically, Alaska salmon has lost market share to increased farmed salmon production which is able to deliver to the marketplace a product that offers consistent supply, quality and price. A strategy to help recover market share was developed which included; expanded marketing efforts, improved consistency of quality, reduced costs of production and increased product options to consumers. While all these issues can not be addressed in a single piece of legislation, SB 3 is an important first step that offers the hope of stable pricing and supply necessary for food manufacturers to commit to new product development.

As part of its efforts to develop a price recovery strategy for salmon, DCED conducted a comparison study of Alaska and Canadian salmon prices. It was learned that a similar anti-trust exemption exists in Canada where long-term price contracts have helped keep Canadian pink salmon prices 113% higher and sockeye prices 60% higher than ex-vessel prices paid in Alaska.

While a federal anti-trust exemption may be necessary to fully remove liability, this is an important first step in a direction that will help the Alaska salmon industry to recover lost market share.

BILL NO: Senate Bill No. 3

DATE: February 23, 1995

TITLE: Antitrust Exemption for Fishermen

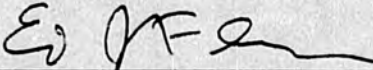
CONTACT: Dwight Perkins
465-2700

Senate Bill No. 3 would allow fishers to form associations to negotiate fish prices. AS 16.10.280 provides that the Department of Labor serve as mediator of disputes between fishers and fish processors on the price to be paid for salmon. The department's experience has revealed that the inability of fishers to form associations to negotiate with processors has been a primary factor in such disputes as the 1991 Bristol Bay strike.

This legislation would provide a mechanism to stabilize raw fish prices, thereby protecting Alaskan fishers and processors from the debilitating and extreme fluctuations in fish prices. A stable fishing industry will have a direct and positive effect on the Alaskan economy. It is only reasonable that Alaskan fishers and processors have the legal ability to protect themselves and this important resource from price setting by outside interests..

The Department of Labor supports Senate Bill No. 3.

APPROVED:

for 
Tom Cashen, Commissioner

DATE: 2/23/95

POSITION PAPER/Department of Labor

SENATOR JIM DUNCAN
ALASKA STATE LEGISLATURE

Alaska State Senate

State Capitol • Room 119 • Juneau, Alaska 99801-1182 • (907) 465-4766 • Fax 465-4748

January 1995

SPONSOR STATEMENT, SB 3:

ANTITRUST EXEMPTION FOR COMMERCIAL FISHERMEN

Senator Jim Duncan

Senate Bill 3 will allow fishermen to form associations to collectively negotiate raw or processed fish prices with processors. It does not authorize processors to agree among themselves on the prices they will pay fishermen; it only covers collective bargaining between fishermen and a processor, or group of processors.

A state antitrust exemption is a first step to stabilizing Alaska's fishing industry. While this exemption applies only to state antitrust laws, it is necessary to gaining Congressional approval for a federal exemption, so that fishermen and processors could negotiate prices. Once the legislature has approved SB 3, the state, fishermen and processors would be in a position to request the federal exemption. The attitude toward a federal exemption may be favorable now that Alaska's congressional delegation is in the majority.

In order to permit collective bargaining, fishermen must be allowed to market and sell their fish as a group. Current state antitrust law does not mention whether fishermen could collectively sell their raw catch or fish products, although it permits them to form associations to catch and prepare their fish for market. SB 3 clarifies this ambiguity, making state law consistent with federal law, which expressly permits fishermen to collectively engage in more activities, including marketing their fish. The incongruities between current state and federal law make it possible for some fishermen's organizations to be in compliance with federal antitrust law, yet breaking state law, or be in compliance with state antitrust law and violating federal law.

State legislation such as this, and pursuit of a corresponding federal exemption were recommended in the 1993 Alaska attorney general's report on the Bristol Bay sockeye salmon industry. The fishing industry is Alaska's largest private employer, and affects every segment of our economy, from small coastal villages to the state's general fund. Collective bargaining between fishermen and processors will help stabilize commercial fishing prices, bolstering local and state economies. Stable raw fish prices will promote stable consumer prices for processed seafood products, which means greater sales of Alaska seafood.

FISCAL NOTE

STATE OF ALASKA
1995 LEGISLATIVE SESSION

BILL NO. SB 3

Revision Date: _____
 Title: Antitrust Exemption for Fishermen
 Sponsor: Senator Duncan
 Requestor: Senator Duncan

Department Affected: Labor
 BRU: Commissioner's Office
 Component: Commissioner's Office
 COMPONENT SERIAL NO. 340

EXPENDITURES/REVENUES:

(Thousands of Dollars)

OPERATING	FY 96	FY 97	FY 98	FY 99	FY 00	FY 01
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL						
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CHANGE IN REVENUE						
FUND SOURCE #						

FUNDING:

(Thousands of Dollars)

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

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

Estimate of current year (FY95) impact: \$ None

ANALYSIS: (Attach a separate page if necessary)

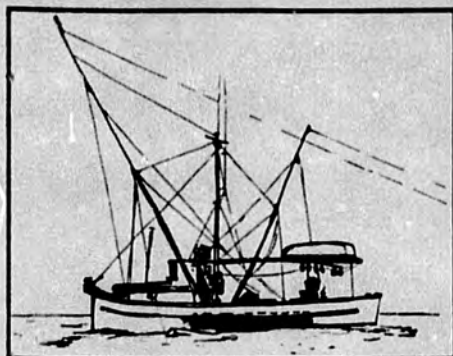
Prepared by: Arbe Williams, Director
 Division: Administrative Services

Phone: 465-5981
 Date: 1/23/95

Approved by Commissioner: Tom Cashen, Commissioner
 Agency: Department of Labor

Date: 1/23/95

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Alaska Trollers Association

130 Seward St., No. 505
Juneau, Alaska 99801
(907) 586-9400
(907) 586-4473 Fax

March 16, 1995

Senator Jim Duncan
Alaska State Legislature
Juneau, AK 99811

Dear Senator Duncan:

The Alaska Trollers Association strongly supports SB 3, which would provide anti-trust exemptions for commercial fishermen.

Allowing fishermen to collectively negotiate fish prices and take a more active role in marketing strategies should enhance the value of our seafood products. At this time of decreased stability and increased competition in the marketplace, this is precisely the type of option fishermen need to maintain a competitive edge.

ATA encourages legislative support for this bill and any subsequent changes necessary under federal law to secure anti-trust exemptions for commercial fishermen.

ATA appreciates the time you and your staff have dedicated to this issue.

Sincerely,

A handwritten signature in cursive script that reads "Dale A. Kelley".

Dale A. Kelley
Executive Director

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

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

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

MEMORANDUM

January 20, 1995

SUBJECT: SB 3 Summary (Work Order No. 9-LS0043\A)

TO: Senator Jim Duncan

FROM: George Utermohle *GU*
Legislative Counsel

This memorandum summarizes SB 3, An Act relating to an antitrust exemption for persons engaged in the fishing industry.

SB 3 proposes two significant changes to the state antitrust law.

First, SB 3 eliminates an ambiguity in state law as to whether commercial fishermen can collectively market their fish and fish products and makes the state antitrust exemption for fishermen compatible with the analogous federal exemption. See, section 1, SB 3.

When the state antitrust law was enacted in the mid-1970's, the legislature created an exemption from the law so that fishermen could agree among themselves to collectively engage in the harvesting and processing of fish. AS 45.50.572(c). Unfortunately the law does not mention whether fishermen could collectively market their fish and fish products. By expressly allowing fishermen to engage in collective harvesting and processing activities and not mentioning marketing activities, it must be presumed that the law precludes collective marketing activities by fishermen. SB 3 amends the state antitrust exemption for fishermen so that fishermen are clearly allowed to collectively engage in the marketing of their fish and fish products.

The federal antitrust law already contains an exemption that permits fishermen to collectively engage in catching, processing, and marketing their fish and fish products. 15 U.S.C. 521. But the federal law also places specific restrictions on the legal structure of the cooperatives that fishermen may form. SB 3 rewrites the state exemption so that it directly parallels the provisions of the federal law.

Thus SB 3 expands the kinds of activities that fishermen may engage in without violating the state antitrust law and substantially eases the burden on fishermen to simultaneously comply with the state antitrust law and the federal antitrust law.

Senator Jim Duncan
January 20, 1995
Page 2

Second, SB 3 creates a new exemption from the state antitrust law to allow fishermen and processors to collectively agree on the price that fishermen would receive for their fish and on the price that processors would accept for processed fish. See, section 2, SB 3. The exemption would allow fishermen to enter into price agreements with a processor or a group of processors. SB 3 does not allow groups of processors to agree among themselves on the price that they would pay fishermen for fish or they would charge for their product. Groups of processors may agree on prices, only if fishermen participate in the agreement and are a party to the agreement.

Once SB 3 is enacted and the state antitrust law provides an exemption for collective agreements between fishermen and processors, the state, fishermen, and processors can approach the Congress for a comparable exemption from the federal antitrust laws. The state exemption can serve as a model for the federal exemption. In the mean time, it would be very risky for fishermen and processors to rely solely upon the state antitrust exemption as authority to engage in collective price setting. Because the Alaska fishing and fish processing industries significantly affect interstate and international commerce, the federal antitrust laws are certain to apply to, and thus prohibit, any price agreements between fishermen and processors. Fishermen and processors should wait for the Congress to enact the appropriate exemption from the federal antitrust law before attempting any such agreements.

If I may be of further assistance, please advise.

GU:glc
95-076.glc



Edward E. Crane
President

2550 Denali Street, Suite 1201
Anchorage, Alaska 99503
(907) 276-2007

January 27, 1995

Senator Jim Duncan
Alaska State Senate
State Capitol, Room 119
Juneau, Alaska 99801-1182

Dear Senator Duncan,

I have noted and read Senate Bill 3. In my view, SB3 serves a relevant and highly significant purpose.

I have been directly or indirectly involved with individual producers of food and fiber, and with both formal and informal associations of such producers, for nearly 30 years. That includes almost continuous and intense involvement with producers and marketers of agricultural commodities of all kinds from 1965 through 1981.

As contrasted with manufacturers, an individual producer of food and fiber commodities is greatly disadvantaged by his or her isolated status within what may be a huge conformation of economic forces. The producer is further made vulnerable by the limited-life nature of most commodities and by the pressure to capture whatever value may exist on a timely basis.

There has probably been no more positive statutory force affecting commodities producers than the limited antitrust exemptions in Federal, and most state, statutes. While a superficial glance may suggest they are merely the extension of privilege to a few, such exemptions are in actuality the cornerstones of the stability which is critical to any food production and distribution system and which provides immeasurable benefits to each of us as consumers.

Senator Jim Duncan
January 27, 1995
Page 2

Senate Bill 3 establishes and clarifies this important exemption for harvesters, producers, and marketers of Alaska's seafood resources. While it will solve no problems by itself, its enactment will provide significant opportunities for the creation of stabilizing forces which will benefit all of Alaska as well as seafood industry participants.

I would be most interested in knowing of any opportunities to express support for Senate Bill 3.

Very truly yours,



Edward E. Crane

EEC:dmv

SCOMM

95:47



Official Business

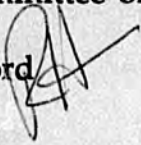
Alaska State Senate

Senate Finance Committee

Mail Stop 3100
State Capitol
Juneau, Alaska 99801-1182

MEMORANDUM

TO: House Special Committee on Fisheries

FROM: Senator Rick Halford 

DATE: March 23, 1995

SUBJECT: Senate Bill 21 Sponsor Statement

=====

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

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

SB 21(Resources) increases punishment for violations of commercial fishing laws by adding a provision to current law which increases the maximum fine allowable for third and subsequent violations to \$9000. The aim of SB 21 is to allow judges and magistrates to deter habitual violators rather than the current meager fines which are often considered just a part of doing business.

Please give SB 21 your full consideration. Thank you.

FISCAL NOTE

STATE OF ALASKA
1995 LEGISLATIVE SESSION

BILL NO: CSSB 21 (RES)

Revision Date: 3/6/95 Dept. Affected: Public Safety
Title: Fines/Commercial Fishing Violations BRU: Fish & Wildlife Protection
Sponsor: Senator Halford Component: Enforcement & ISU
Requestor: (S) Finance COMPONENT SERIAL NO. 490

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

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

FUNDING: (Thousands of Dollars)

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

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

POSITIONS:

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

ANALYSIS: (Attach a separate page if necessary.)
See attached language.

Prepared By: Captain Ted Ruddell Phone: 269-5589
Division: Fish & Wildlife Protection Date: 3/6/95
Approved by Commissioner: *Del Smith* Date: 3-7-95
Agency: Ronald L. Otte, Dept. of Public Safety

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Analysis
CSSB 21 (RES)

CSSB 21 (RES) retains the fine for first conviction at a maximum of \$3,000; \$6,000 for second or subsequent conviction except \$9,000 for third or subsequent conviction within a 10 year period for violations of the state's commercial fishing laws.

Enactment of this bill will provide a greater incentive for commercial fishers to operate within regulatory limits as to time, location, and gear restrictions. No significant program or fiscal impact to the department is anticipated.

FISCAL NOTE

STATE OF ALASKA
1995 LEGISLATIVE SESSION

BILL NO. CSSB 21 (RES)

Revision Date: _____ Dept. Affected: Alaska Court System
Title: An Act relating to penalties for violations BRU: Trial Courts
of commercial fishing laws Components: _____
Sponsor: Senate Rules by request
Requestor: _____ COMPONENT SERIAL NO. 768

EXPENDITURES/REVENUES (Thousands of Dollars)

OPERATING EXPENDITURES	FY 96	FY 97	FY 98	FY 99	FY 00	FY 01
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS & CLAIMS						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES						
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CHANGE IN REVENUES ()						
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FUND SOURCE (Thousands of Dollars)

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

POSITIONS

FULL-TIME						
PART-TIME						
TEMPORARY						

Estimate of current year (FY 95) cost: \$ None

ANALYSIS: (Attach a separate page if necessary)

No fiscal impact.

Prepared by: C. S. Christensen III, Staff Counsel *CS* Phone: 264-8228
Agency: Alaska Court System Date: 03/07/95
Approved by: Arthur H. Snowden, II, Administrative Director *AS* *CS*
Agency: Alaska Court System Date: 03/07/95

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FISCAL NOTE

STATE OF ALASKA
1995 LEGISLATIVE SESSION

BILL NO. CSSB 21 (RES)

Revision Date: 3/6/95
Title: "An Act relating to commercial fishing penalties."

Dept. Affected: Department of Law
BRU: Prosecution
Component: Third Judicial District

Sponsor: Senator Halford
Requester: Senator Halford

COMPONENT SERIAL NO. 0087

Expenditures/Revenues

(Thousands of Dollars)

OPERATING EXPENDITURES	FY 96	FY 97	FY 98	FY 99	FY 00	FY 01
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES						
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CHANGE IN REVENUES ()						
------------------------	--	--	--	--	--	--

FUND SOURCE

(Thousands of Dollars)

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

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

POSITIONS

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

ANALYSIS: (Attach a separate page if necessary)

The Senate Resources Committee Substitute for SB 21 returns penalties for a commercial fishing violation to their existing levels of \$3,000 for a first conviction and \$6,000 for a second conviction. The CS also adds a new penalty of \$9,000 for a third or subsequent conviction within a 10-year period. Consequently, the additional litigation and resultant fiscal note costs the Department of Law anticipated when the bill would have doubled the penalties for a first conviction and a second conviction are no longer appropriate.

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

Phone: 465-3672
Date: 3/6/95
Date: 3/6/95

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FROM THE DESK OF

DEPUTY COMMISSIONER
C.E. SWACKHAMMER

DEPARTMENT OF PUBLIC SAFETY

P.O. Box 111200, Juneau, AK 99811

MEMO TO: Don Rick Hallford
Attn: Don Thompson

DATE: 4-1-94

PHONE: 907 465 4322

FAX: 907 465 4362

SUBJECT: Bristol Bay Violations

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

RECEIVED

APR 05 1994

11:11 AM

Swack

CRIMINAL HISTORY

COURT Dispo

A acquitted
 B no complaint filed
 C nolo contendere
 D Dismissed
 F Bail forfeited
 G guilty
 H not guilty
 N no dispo available
 P not prosecuted-DA declined
~~R~~ R SIS/DIS completed
 S SIS/DIS
 T closed statistically
 I Not Guilty by Trial
 W Pardon by Governor
 U - SIS - Not set aside

PERSON TEMPERMENT HEIGHT

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

OFFENSE CODES

9761 Child Enticement
 9852 Stop at direction of Officer
 9898 Fail to give notice
 9854 Render Aide or Assistance
 4899 Obstruct/interfer
 5309 Harrassment

SENTENCE

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

INDEXING

B - Booking photo
 Crim. R - R&I Judgement
 F - Fingerprint Card-grm sheet
 P - Rap sheet
 K - Booking Sheet - disposition
 W - Audit Report
 X - DECEASED
 Y - Citation
 Z - Judgement

CASE Closure Info

CA - Closed by Arrest
 CD - " Declined Prosecution
 CI - " By Investigation - no Further Leads
 CU - Close unfounded
 CL - Closed Log
 CE - Closed by Except.
 RA - Referred to Another Agency
 IR - Initiate Report

UNIQUE IDENTIFIER	VIOLATION DATE	VIOLATION CODE	CONVICTION CODE	DESCRIPTION	DISPO
655692	01/14/1993	8600		GM LI UNLICENSED	
101238	01/14/1993	8600		GM LI UNLICENSED	
854138	02/05/1993	8622		GM CS TK CLSD SEASN	
	02/05/1993	8622		GM CS TK CLSD SEASN	
1366393	02/18/1993	8001		AA I. FLS STM/SP APPL	
851390	04/29/1993	8181		CF FAIL OBT LIC CREW	
418076	04/29/1993	8180		CF LI EMPL UNL CREW	
691970	04/29/1993	8181		CF FAIL OBT LIC CREW	
1328311	04/29/1993	8181		CF FAIL OBT LIC CREW	
1328318	04/29/1993	8181		CF FAIL OBT LIC CREW	
174907	04/30/1993	8150		CF IG OVER LENGTH NET	
	04/30/1993	8212	8212	CF ID FL TO WRK BUOY	C
583864	05/01/1993	8171		CF MISCELLANEOUS	
8142	05/01/1993	8181		CF FAIL OBT LIC CREW	
1328358	05/01/1993	8181		CF FAIL OBT LIC CREW	
525565	05/01/1993	8180		CF LI EMPL UNL CREW	
450357	05/01/1993	8171		CF MISCELLANEOUS	
681216	05/07/1993	8214		CF FL. WK GLL. NT W/AD	
	05/07/1993	8214	8214	CF FL. WK GLL. NT W/AD	D
1311181	05/30/1993	8001		AA I. FLS STM/SP APPL	
1184711	06/04/1993	8001		AA I. FLS STM/SP APPL	
1306392	06/19/1993	8170		CF LIC FLS STMT/APPL	
880961	06/20/1993	8120		CF CN COMM FISH	
344098	06/20/1993	8120		CF CN COMM FISH	
	07/01/1992	8120	8120	CF CN COMM FISH	G
203479	06/20/1993	8120		CF CN COMM FISH	
	07/12/1992	8120	8120	CF CN COMM FISH	C
370283	06/20/1993	8180		CF LI EMPL UNL CREW	
	06/20/1993	8120	8120	CF CN COMM FISH	C
	06/20/1993	8120	8120	CF CN COMM FISH	C

UNIQUE IDENTIFIER	VIOLATION DATE	VIOLATION CODE	CONVICTION CODE	DESCRIPTION	DISPO
1334546	06/20/1993	8181		CF FAIL OBT LIC CREW	
933941	06/20/1993	8120		CF CW COMM FISH	
1334719	06/20/1993	8120		CF CW COMM FISH	
864102	06/21/1993	8120		CF CW COMM FISH	
310715	06/21/1993	8181		CF FAIL OBT LIC CREW	
1324139	06/21/1993	8120		CF CW COMM FISH	
1231647	06/21/1993	8120		CF CW COMM FISH	
	07/06/1991	8120	8120	CF CW COMM FISH	C
1073427	06/22/1993	8180		CF LI EMPL UNL CREW	
	06/22/1993	8120	8120	CF CW COMM FISH	C
	04/29/1993	8185	8185	CF FAIL OBT VSSL LIC	C
1097920	06/22/1993	8181		CF FAIL OBT LIC CREW	
1334719	06/22/1993	8120		CF CW COMM FISH	
217074	06/24/1993	8180		CF LI EMPL UNL CREW	
	07/01/1988	8120	8120	CF CW COMM FISH	G
	07/01/1988	8210	8210	CF FL TO ID ADEGHN	G
	07/09/1989	8120	8120	CF CW COMM FISH	G
	07/07/1992	8120	8120	CF CW COMM FISH	C
	06/29/1992	8105	8105	CF CS TRAIL GILL NET	C
	06/24/1993	8260	8260	CF OP NET CLS TO NET	C
1334837	06/24/1993	8181		CF FAIL OBT LIC CREW	
1207695	06/24/1993	8181		CF FAIL OBT LIC CREW	
66048	06/24/1993	8181		CF FAIL OBT LIC CREW	
1318192	06/24/1993	8120		CF CW COMM FISH	
682765	06/24/1993	8120		CF CW COMM FISH	
	07/10/1988	8120	8120	CF CW COMM FISH	G
	04/25/1990	8184	8184	CF PRM HLDNR NOT PRES	G
305131	06/24/1993	8180		CF LI EMPL UNL CREW	
	06/21/1988	8120	8120	CF CW COMM FISH	G
	06/24/1993	8120	8120	CF CW COMM FISH	C
321039	06/24/1993	8105		CF CS TRAIL GILL NET	
	07/05/1991	8212	8212	CF ID FL TO WRK BUOY	G
865963	06/25/1993	8120		CF CW COMM FISH	
103963	06/25/1993	8120		CF CW COMM FISH	

UNIQUE IDENTIFIER	VIOLATION DATE	VIOLATION CODE	CONVICTION CODE	DESCRIPTION	DISPO
	07/26/1987	8120	8120	CF CM COMM FISH	C
	07/06/1991	8260	8260	CF OP NET CLS TO NET	C
348285	06/26/1993	8120		CF CM COMM FISH	
	07/03/1993	8248	8248	CF FL EGG FOR AREA	D
	07/21/1993	8120	8120	CF CM COMM FISH	C
1264430	06/27/1993	8001		AA L FLS STM/SP APPL	
1299541	07/18/1993	8001		AA L FLS STM/SP APPL	
570207	07/29/1993	8001		AA L FLS STM/SP APPL	
1347461	08/13/1993	8411		SP CAST IN CLSD WTRS	
1347469	08/13/1993	8411		SP CAST IN CLSD WTRS	
1347471	08/13/1993	8411		SP CAST IN CLSD WTRS	
1347474	08/13/1993	8411		SP CAST IN CLSD WTRS	
1347480	08/13/1993	8411		SP CAST IN CLSD WTRS	
1347482	08/13/1993	8411		SP CAST IN CLSD WTRS	
1347485	08/13/1993	8411		SP CAST IN CLSD WTRS	
1347735	08/13/1993	8411		SP CAST IN CLSD WTRS	
1264430	08/15/1993	8001		AA L FLS STM/SP APPL	
1026092	08/22/1993	8752		GM IU WASTE/FD ANIML	
	08/22/1993	8752		GM IU WASTE/FD ANIML	
1318192	08/23/1993	8120		CF CM COMM FISH	
1214745	09/02/1993	8602		GM LI EL ORT ERV TCK	
1354269	09/03/1993	8605		GM LI RV TKT VIOL	
1060518	09/04/1993	8752		GM IU WASTE/FD ANIML	
	09/04/1993	8622		GM CS TK CLSD SRASH	
951449	09/06/1993	8508		GM CR GUIDE W/O LIC	
1355802	09/06/1993	8508		GM CR GUIDE W/O LIC	
1354266	09/07/1993	8605		GM LI RV TKT VIOL	
1049727	09/07/1993	8605		GM LI RV TKT VIOL	
1354346	09/13/1993	8605		GM LI RV TKT VIOL	

UNIQUE IDENTIFIER	VIOLATION DATE	VIOLATION CODE	CONVICTION CODE	DESCRIPTION	DISPO
476098	09/20/1993	8622		GM CS TK CLSD SEASN	
519759	09/23/1993	8605		GM LI HV TKT VIOL	
1136834	09/24/1993	8602		GM LI FL OBT HRV TCK	
930572	09/30/1993	8750		GM IU ILL SALE/BRTR	
	09/12/1991	8001	8001	AA L FLS STM/SP APPL	C
	09/12/1991	8001	8001	AA L FLS STM/SP APPL	C
1209328	01/05/1993	8752	8752	GM IU WASTE/ED ANIML	G
629207	01/05/1993	8752	8752	GM IU WASTE/ED ANIML	G
	01/02/1993	8609	8609	GM LI MISC	C
	01/02/1993	8609	8609	GM LI MISC	C
	07/21/1992	8609	8609	GM LI MISC	C
1147214	01/05/1993	8752	8752	GM IU WASTE/ED ANIML	G
1248976	01/03/1992	8001	8001	AA L FLS STM/SP APPL	C
	01/03/1992	8001	8001	AA L FLS STM/SP APPL	C
	01/03/1992	8001	8001	AA L FLS STM/SP APPL	C
	01/03/1992	8001	8001	AA L FLS STM/SP APPL	C
	01/05/1993	8752	8752	GM IU WASTE/ED ANIML	C
1114525	04/01/1993	8181	8181	CF FAIL OBT LIC CREW	C
696709	06/29/1986	8400	8400	SP LI FISH W/O LIC	G
	04/27/1993	8100	8100	CF CS CF CLSD SEASON	C
360256	04/28/1993	8100	8100	CF CS CF CLSD SEASON	C
1328384	04/28/1993	8181	8181	CF FAIL OBT LIC CREW	C
37221	07/08/1991	8120	8120	CF CN COMM FISH	C
	04/28/1993	8185	8185	CF FAIL OBT VSSL LIC	C
	04/28/1993	8185	8185	CF FAIL OBT VSSL LIC	C
	07/08/1991	8120	8120	CF CN COMM FISH	C
	04/28/1993	8185	8185	CF FAIL OBT VSSL LIC	C
	04/28/1993	8185	8185	CF FAIL OBT VSSL LIC	C
695748	04/28/1993	8181	8181	CF FAIL OBT LIC CREW	C
1328380	04/28/1993	8181	8181	CF FAIL OBT LIC CREW	C
1142050	04/28/1993	8180	8180	CF LI ENPL UNL CREW	C
	06/21/1993	8120	8120	CF CN COMM FISH	D
	06/20/1993	8120	8120	CF CN COMM FISH	D
177403	04/28/1993	8185	8185	CF FAIL OBT VSSL LIC	C
1328982	04/29/1993	8100	8100	CF CS CF CLSD SEASON	C

UNIQUE IDENTIFIER	VIOLATION DATE	VIOLATION CODE	CONVICTION CODE	DESCRIPTION	DISPO
160008	07/07/1987	8212	8212	CF ID FL TO MRK BUOY	C
	06/27/1988	8120	8120	CF CN COMM FISH	G
	04/29/1993	8100	8100	CF CS CF CLSD SEASON	C
1102831	04/29/1993	8182	8182	CF FL OBT PRMT CFEC	C
	04/29/1993	8185	8185	CF FAIL OBT VSSL LIC	C
102849	04/29/1993	8214	8214	CF FL MK GLL NT W/AD	C
1133954	07/08/1992	8120	8120	CF CN COMM FISH	C
	07/01/1992	8120	8120	CF CN COMM FISH	C
	04/29/1993	8100	8100	CF CS CF CLSD SEASON	C
439146	07/14/1989	8100	8100	CF CS CF CLSD SEASON	G
	07/01/1989	8120	8120	CF CN COMM FISH	G
	07/16/1988	8120	8120	CF CN COMM FISH	D
	04/29/1993	8181	8181	CF FAIL OBT LIC CREW	C
1073427	06/22/1993	8120	8120	CF CN COMM FISH	C
	04/29/1993	8185	8185	CF FAIL OBT VSSL LIC	C
1328320	04/29/1993	8180	8180	CF LI EMPL UNL CREW	C
169184	04/29/1993	8185	8185	CF FAIL OBT VSSL LIC	C
1102831	04/29/1993	8182	8182	CF FL OBT PRMT CFEC	C
	04/29/1993	8185	8185	CF FAIL OBT VSSL LIC	C
174907	04/30/1993	8212	8212	CF ID FL TO MRK BUOY	C
260647	04/30/1993	8180	8180	CF LI EMPL UNL CREW	C
307951	04/30/1993	8214	8214	CF FL MK GLL NT W/AD	C
452860	07/02/1993	8120	8120	CF CN COMM FISH	C
	04/30/1993	8181	8181	CF FAIL OBT LIC CREW	C
570362	05/01/1993	8171	8171	CF MISCELLANEOUS	C
485746	03/18/1991	8222	8222	CF POSS U/SZ SHEPISH	D
	07/10/1993	8120	8120	CF CN COMM FISH	C
	05/01/1993	8211	8211	CF FL DISP NARS VSSL	C
1149174	05/01/1993	8171	8171	CF MISCELLANEOUS	C
180518	05/01/1993	8100	8100	CF CS CF CLSD SEASON	C
	05/01/1993	8171	8171	CF MISCELLANEOUS	C
	05/01/1993	8180	8180	CF LI EMPL UNL CREW	C
	05/01/1993	8100	8100	CF CS CF CLSD SEASON	C
	05/01/1993	8171	8171	CF MISCELLANEOUS	C
	05/01/1993	8180	8180	CF LI EMPL UNL CREW	C
1108286	05/01/1993	8181	8181	CF FAIL OBT LIC CREW	C

UNIQUE IDENTIFIER	VIOLATION DATE	VIOLATION CODE	CONVICTION CODE	DESCRIPTION	DISPO
180518	05/01/1993	8100	8100	CF CS CF CLSD SEASON	C
	05/01/1993	8171	8171	CF MISCELLANEOUS	C
	05/01/1993	8180	8180	CF LI ENPL UNL CREW	C
923348	05/01/1993	8180	8180	CF LI ENPL UNL CREW	C
129592	05/01/1993	8181	8181	CF FAIL OBT LIC CREW	C
89630	05/01/1993	8180	8180	CF LI ENPL UNL CREW	C
231470	10/03/1986	8180	8180	CF LI ENPL UNL CREW	D
	01/12/1988	8121	8121	CF CM ILL STORE POTS	G
	01/27/1993	8222	8222	CF POSS U/SZ SHFISH	C
	05/01/1993	8180	8180	CF LI ENPL UNL CREW	C
1122914	05/01/1993	8211	8211	CF FL DISP NBRS VSSL	C
937486	05/01/1993	8181	8181	CF FAIL OBT LIC CREW	C
1121941	05/01/1993	8181	8181	CF FAIL OBT LIC CREW	C
1328373	05/02/1993	8181	8181	CF FAIL OBT LIC CREW	C
	05/02/1993	8180	8180	CF LI ENPL UNL CREW	C
1328388	05/02/1993	8181	8181	CF FAIL OBT LIC CREW	C
1328373	05/02/1993	8181	8181	CF FAIL OBT LIC CREW	C
	05/02/1993	8180	8180	CF LI ENPL UNL CREW	C
882563	05/02/1993	8214	8214	CF FL MK GLL NT W/AD	C
	06/30/1993	8120	8120	CF CM COMM FISH	C
704148	04/12/1990	8102	8102	CF CS FAIL/RRMV NET	D
	05/02/1993	8214	8214	CF FL MK GLL NT W/AD	C
1029829	04/17/1993	8401	8401	SP FSH W/O LIC IN PO	C
	05/02/1993	8400	8400	SP LI FISH W/O LIC	C
670830	06/27/1987	8120	8120	CF CM COMM FISH	C
	05/03/1993	8171	8171	CF MISCELLANEOUS	C
1328379	05/03/1993	8181	8181	CF FAIL OBT LIC CREW	C
1010148	07/03/1986	8120	8120	CF CM COMM FISH	C
	07/11/1987	8212	8212	CF ID FL TO MRK BUOY	C
	07/07/1987	8212	8212	CF ID FL TO MRK BUOY	C
	07/04/1987	8120	8120	CF CM COMM FISH	G
	07/11/1989	8120	8120	CF CM COMM FISH	G
	07/14/1990	8260	8260	CF OP NET CLS TO NET	C
	05/23/1992	8228	8228	CF ILL POSS GENERAL	R
	05/04/1993	8214	8214	CF FL MK GLL NT W/AD	C
	05/04/1993	8152	8152	CF IG O/LIM GILL NET	C
	07/03/1986	8120	8120	CF CM COMM FISH	C

UNIQUE IDENTIFIER	VIOLATION DATE	VIOLATION CODE	CONVICTION CODE	DESCRIPTION	DISPO
	07/11/1987	8212	8212	CF ID FL TO MRK BUOY	C
	07/07/1987	8212	8212	CF ID FL TO MRK BUOY	C
	07/04/1987	8120	8120	CF CW COMM FISH	G
	07/11/1989	8120	8120	CF CW COMM FISH	G
	07/14/1990	8260	8260	CF OP NET CLS TO NET	C
	05/23/1992	8228	8228	CF ILL POSS GENERAL	R
	05/04/1993	8214	8214	CF FL MK GLL NT W/AD	C
	05/04/1993	8152	8152	CF IG O/LIM GILL NET	C
1328296	05/04/1993	8181	8181	CF FAIL OBT LIC CREW	C
1328308	05/04/1993	8180	8180	CF LI EMPL UNL CREW	C
1328301	05/04/1993	8180	8180	CF LI EMPL UNL CREW	C
	05/04/1993	8181	8181	CF FAIL OBT LIC CREW	C
	05/04/1993	8180	8180	CF LI EMPL UNL CREW	C
	05/04/1993	8181	8181	CF FAIL OBT LIC CREW	C
1328368	05/04/1993	8180	8180	CF LI EMPL UNL CREW	C
	07/14/1993	8120	8120	CF CW COMM FISH	G
1328364	05/04/1993	8181	8181	CF FAIL OBT LIC CREW	C
286480	05/04/1993	8181	8181	CF FAIL OBT LIC CREW	C
312891	05/06/1993	8214	8214	CF FL MK GLL NT W/AD	C
681216	05/07/1993	8214	8214	CF FL MK GLL NT W/AD	D
454045	02/08/1993	8171	8171	CF MISCELLANEOUS	C
	05/23/1993	8211	8211	CF FL DISP NBRS VSSL	G
585196	06/16/1991	8105	8105	CF CS TRAIL GILL NET	G
	06/20/1993	8120	8120	CF CW COMM FISH	C
1334432	06/20/1993	8120	8120	CF CW COMM FISH	C
7551	06/29/1993	8120	8120	CF CW COMM FISH	C
	06/20/1993	8105	8105	CF CS TRAIL GILL NET	C
1334526	07/02/1993	8120	8120	CF CW COMM FISH	C
	06/20/1993	8120	8120	CF CW COMM FISH	C
1334537	06/20/1993	8120	8120	CF CW COMM FISH	C
503858	06/20/1993	8120	8120	CF CW COMM FISH	C
448427	06/20/1993	8120	8120	CF CW COMM FISH	C
689533	06/29/1993	8120	8120	CF CW COMM FISH	C
	06/20/1993	8120	8120	CF CW COMM FISH	C
1334686	06/20/1993	8120	8120	CF CW COMM FISH	C

UNIQUE IDENTIFIER	VIOLATION DATE	VIOLATION CODE	CONVICTION CODE	DESCRIPTION	DISPO
294202	06/20/1993	8105	8105	CF CS TRAIL GILL NET	C
1334545	06/20/1993	8120	8120	CF CW COMM FISH	G
528571	06/20/1993	8120	8120	CF CW COMM FISH	G
938524	06/27/1986	8180	8180	CF LI EMPL UNL CREW	G
	07/10/1993	8120	8120	CF CW COMM FISH	C
	06/20/1993	8120	8120	CF CW COMM FISH	C
167504	07/10/1991	8120	8120	CF CW COMM FISH	C
	07/10/1993	8120	8120	CF CW COMM FISH	C
	06/20/1993	8120	8120	CF CW COMM FISH	C
1334543	06/20/1993	8120	8120	CF CW COMM FISH	C
1070595	06/20/1993	8120	8120	CF CW COMM FISH	G
370283	06/20/1993	8120	8120	CF CW COMM FISH	C
	06/20/1993	8120	8120	CF CW COMM FISH	C
	06/20/1993	8120	8120	CF CW COMM FISH	C
	06/20/1993	8120	8120	CF CW COMM FISH	C
1334702	06/20/1993	8120	8120	CF CW COMM FISH	C
131015	06/20/1993	8120	8120	CF CW COMM FISH	C
1334544	06/20/1993	8120	8120	CF CW COMM FISH	C
958903	06/20/1993	8120	8120	CF CW COMM FISH	G
	06/20/1993	8120	8120	CF CW COMM FISH	G
	06/20/1993	8120	8120	CF CW COMM FISH	G
	06/20/1993	8120	8120	CF CW COMM FISH	G
319410	06/20/1993	8120	8120	CF CW COMM FISH	C
	06/20/1993	8105	8105	CF CS TRAIL GILL NET	G
	06/20/1993	8120	8120	CF CW COMM FISH	C
	06/20/1993	8105	8105	CF CS TRAIL GILL NET	G
575211	07/08/1992	8120	8120	CF CW COMM FISH	D
	06/20/1993	8120	8120	CF CW COMM FISH	G
1180028	07/07/1990	8100	8100	CF CS CF CLSD SEASON	G
	07/05/1990	8120	8120	CF CW COMM FISH	G
	06/20/1993	8120	8120	CF CW COMM FISH	G
866651	05/22/1992	8105	8105	CF CS TRAIL GILL NET	C
	06/20/1993	8120	8120	CF CW COMM FISH	G
1101533	06/27/1988	8120	8120	CF CW COMM FISH	G
	06/20/1993	8120	8120	CF CW COMM FISH	C
526907	06/27/1984	8120	8120	CF CW COMM FISH	C

UNIQUE IDENTIFIER	VIOLATION DATE	VIOLATION CODE	CONVICTION CODE	DESCRIPTION	DISPO
	06/21/1991	8214	8214	CF FL BK GLL NT W/AD	C
	06/20/1993	8120	8120	CF CW COMM FISH	G
1334584	06/20/1993	8120	8120	CF CW COMM FISH	D
1055280	06/20/1993	8120	8120	CF CW COMM FISH	G
360531	07/10/1988	8120	8120	CF CW COMM FISH	C
	06/22/1993	8120	8120	CF CW COMM FISH	G
	06/20/1993	8120	8120	CF CW COMM FISH	G
320885	06/21/1988	8120	8120	CF CW COMM FISH	G
	06/27/1992	8120	8120	CF CW COMM FISH	C
	06/20/1993	8120	8120	CF CW COMM FISH	G
939343	06/27/1987	8100	8100	CF CS CF CLSD SEASON	C
	07/13/1987	8120	8120	CF CW COMM FISH	C
	06/27/1992	8120	8120	CF CW COMM FISH	C
	06/20/1993	8120	8120	CF CW COMM FISH	G
	06/21/1993	8120	8120	CF CW COMM FISH	G
477977	05/14/1990	8171	8171	CF MISCELLANEOUS	G
	07/03/1989	8120	8120	CF CW COMM FISH	C
	06/20/1993	8120	8120	CF CW COMM FISH	G
991860	06/20/1993	8120	8120	CF CW COMM FISH	G
611806	07/07/1987	8212	8212	CF ID FL TO MRK BUOY	C
	06/21/1988	8120	8120	CF CW COMM FISH	G
	06/20/1993	8120	8120	CF CW COMM FISH	C
710539	07/20/1992	8120	8120	CF CW COMM FISH	C
	06/29/1993	8260	8260	CF CF NET CLS TO NET	C
	06/20/1993	8120	8120	CF CW COMM FISH	C
1334517	06/20/1993	8120	8120	CF CW COMM FISH	C
92293	06/20/1993	8120	8120	CF CW COMM FISH	C
1083177	06/20/1993	8120	8120	CF CW COMM FISH	C
1083492	06/30/1989	8100	8100	CF CS CF CLSD SEASON	G
	07/09/1989	8120	8120	CF CW COMM FISH	G
	07/07/1991	8120	8120	CF CW COMM FISH	C
	06/20/1993	8120	8120	CF CW COMM FISH	C
1142050	04/28/1993	8180	8180	CF LI EMPL UNL CREW	C
	06/21/1993	8120	8120	CF CW COMM FISH	D
	06/20/1993	8120	8120	CF CW COMM FISH	D
689987	07/08/1989	8210	8210	CF FL TO ID ADEGHH	G
	06/20/1993	8120	8120	CF CW COMM FISH	D

UNIQUE IDENTIFIER	VIOLATION DATE	VIOLATION CODE	CONVICTION CODE	DESCRIPTION	DISPO
357147	06/20/1993	8120	8120	CF CN COMM FISH	D
1334573	06/20/1993	8120	8120	CF CN COMM FISH	C
1334580	06/20/1993	8120	8120	CF CN COMM FISH	C
1334509	06/21/1993	8120	8120	CF CN COMM FISH	C
1334572	06/21/1993	8120	8120	CF CN COMM FISH	C
937678	07/15/1989	8120	8120	CF CN COMM FISH	G
	06/21/1993	8120	8120	CF CN COMM FISH	C
491889	05/14/1986	8123	8123	CF CN TAKE HERRING	
	06/21/1993	8120	8120	CF CN COMM FISH	C
314947	07/03/1986	8180	8180	CF LI EMPL UNL CREW	D
	06/27/1988	8120	8120	CF CN COMM FISH	C
	06/23/1992	8120	8120	CF CN COMM FISH	C
	06/21/1993	8120	8120	CF CN COMM FISH	C
1334528	06/21/1993	8120	8120	CF CN COMM FISH	C
618192	06/27/1986	8100	8100	CF CS CF CLSD SEASON	G
	06/21/1993	8120	8120	CF CN COMM FISH	C
1334519	06/21/1993	8105	8105	CF CS TRAIL GILL NET	C
592464	06/25/1992	8120	8120	CF CN COMM FISH	D
	06/21/1993	8120	8120	CF CN COMM FISH	G
927160	06/21/1993	8120	8120	CF CN COMM FISH	C
939343	06/27/1987	8100	8100	CF CS CF CLSD SEASON	C
	07/13/1987	8120	8120	CF CN COMM FISH	C
	06/27/1992	8120	8120	CF CN COMM FISH	C
	06/20/1993	8120	8120	CF CN COMM FISH	G
	06/21/1993	8120	8120	CF CN COMM FISH	G
55007	07/06/1985	8140	8140	CF IG GENERAL	C
	06/21/1993	8120	8120	CF CN COMM FISH	C
	07/14/1993	8120	8120	CF CN COMM FISH	C
1142050	04/28/1993	8180	8180	CF LI EMPL UNL CREW	C
	06/21/1993	8120	8120	CF CN COMM FISH	D
	06/20/1993	8120	8120	CF CN COMM FISH	D
1334326	06/22/1993	8404	8404	SP LI MISCELLANEOUS	C
14894	07/06/1993	8120	8120	CF CN COMM FISH	C
	06/22/1993	8120	8120	CF CN COMM FISH	C
644244	06/22/1993	8120	8120	CF CN COMM FISH	C

UNIQUE IDENTIFIER	VIOLATION DATE	VIOLATION CODE	CONVICTION CODE	DESCRIPTION	DISPO
1334567	06/22/1993	8120	8120	CF CW COMM FISH	C
582423	07/10/1983	8151	8151	CF IG OVER LGTH VSSL	G
	06/28/1989	8120	8120	CF CW COMM FISH	G
	06/22/1993	8105	8105	CF CS TRAIL GILL NET	G
360531	07/10/1988	8120	8120	CF CW COMM FISH	C
	06/22/1993	8120	8120	CF CW COMM FISH	G
	06/20/1993	8120	8120	CF CW COMM FISH	G
1073427	06/22/1993	8120	8120	CF CW COMM FISH	C
	04/29/1993	8185	8185	CF FAIL OBT VSSL LIC	C
39132	06/24/1993	8120	8120	CF CW COMM FISH	C
93813	06/24/1993	8120	8120	CF CW COMM FISH	C
97650	07/07/1987	8180	8180	CF LI EMPL UNL CREW	C
	07/06/1990	8120	8120	CF CW COMM FISH	C
	07/13/1992	8260	8260	CF OP NET CLS TO NET	C
	06/24/1993	8120	8120	CF CW COMM FISH	C
	06/24/1993	8171	8171	CF MISCELLANEOUS	C
	07/07/1987	8180	8180	CF LI EMPL UNL CREW	C
	07/06/1990	8120	8120	CF CW COMM FISH	C
	07/13/1992	8260	8260	CF OP NET CLS TO NET	C
	06/24/1993	8120	8120	CF CW COMM FISH	C
	06/24/1993	8171	8171	CF MISCELLANEOUS	C
305131	06/21/1988	8120	8120	CF CW COMM FISH	G
	06/24/1993	8120	8120	CF CW COMM FISH	C
1869	06/27/1988	8120	8120	CF CW COMM FISH	G
	06/24/1993	8105	8105	CF CS TRAIL GILL NET	C
526901	07/06/1993	8120	8120	CF CW COMM FISH	C
	06/24/1993	8120	8120	CF CW COMM FISH	C
	01/04/1993	8182	8182	CF FL OBT PRMT CFEC	D
	01/04/1993	8222	8222	CF POSS U/SZ SHFISH	C
375252	07/06/1990	8120	8120	CF CW COMM FISH	C
	07/10/1992	8105	8105	CF CS TRAIL GILL NET	C
	06/24/1993	8260	8260	CF OP NET CLS TO NET	G
341845	06/24/1993	8120	8120	CF CW COMM FISH	G
472297	05/09/1989	8100	8100	CF CS CF CLSD SEASON	G
	07/11/1990	8260	8260	CF OP NET CLS TO NET	C
	06/24/1993	8260	8260	CF OP NET CLS TO NET	H
217074	07/01/1988	8120	8120	CF CW COMM FISH	G
	07/01/1988	8210	8210	CF FL TO ID ADFGH	G
	07/09/1989	8120	8120	CF CW COMM FISH	G
	07/07/1992	8120	8120	CF CW COMM FISH	C

UNIQUE IDENTIFIER	VIOLATION DATE	VIOLATION CODE	CONVICTION CODE	DESCRIPTION	DISPO
	06/29/1992	8105	8105	CF CS TRAIL GILL NET	C
	06/24/1993	8260	8260	CF OP NET CLS TO NET	C
1041816	07/26/1987	8120	8120	CF CM COMM FISH	C
	06/25/1993	8120	8120	CF CM COMM FISH	D
1334873	06/25/1993	8120	8120	CF CM COMM FISH	C
1334874	06/25/1993	8120	8120	CF CM COMM FISH	D
134344	06/25/1993	8120	8120	CF CM COMM FISH	C
1285718	07/01/1992	8120	8120	CF CM COMM FISH	C
	06/25/1993	8120	8120	CF CM COMM FISH	C
78854	07/02/1992	8120	8120	CF CM COMM FISH	C
	06/25/1993	8120	8120	CF CM COMM FISH	G
1334875	06/22/1993	8102	8102	CF CS FAIL/REMY NET	D
	06/25/1993	8105	8105	CF CS TRAIL GILL NET	G
1082543	06/26/1993	8120	8120	CF CM COMM FISH	C
398948	06/26/1993	8120	8120	CF CM COMM FISH	C
329562	05/16/1987	8171	8171	CF MISCELLANEOUS	D
	05/10/1991	8170	8170	CF LIC FLS STMT/APPL	C
	06/27/1992	8105	8105	CF CS TRAIL GILL NET	C
	06/26/1993	8120	8120	CF CM COMM FISH	D
134226	07/07/1993	8260	8260	CF OP NET CLS TO NET	C
1290856	09/03/1993	8605	8605	GM LI HV TKT VIOL	C
1362780	09/11/1993	8001	8001	AA I. FLS STM/SP APPL	C
1283292	09/12/1993	8740	8740	GM OL TK OVRN LIMIT	G
1363839	09/18/1993	8601	8601	GM LI NO LIC IN POSS	C
	09/18/1993	8604	8604	GM LI FL AFX LCK TAG	C
	09/18/1993	8601	8601	GM LI NO LIC IN POSS	C
	09/18/1993	8604	8604	GM LI FL AFX LCK TAG	C
1363844	09/23/1993	8752	8752	GM IU WASTE/ED ANIML	C
1363848	09/25/1993	8752	8752	GM IU WASTE/ED ANIML	C
1363846	09/25/1993	8752	8752	GM IU WASTE/ED ANIML	C
1363886	09/25/1993	8762	8762	GM MI DOG HARASS GM	C

lost (1)

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

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

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

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

RIVER SYSTEM	CATCHES	ESCAPEMENTS	TOTAL RUN
Naknek-Kvichak	8,914,823	5,931,722	14,846,545
Egegik	21,911,499	1,522,188	23,433,687
Ugashik	4,357,820	1,429,538	5,787,358
Nushigak	5,818,947	2,654,573	8,573,520
Togiak	721,007	356,980	1,077,987
TOTALS	41,724,086	11,895,001	53,619,097

The inshore run of sockeye salmon totaled 52.2 million fish, the third largest inshore return on record (trailing only returns of 62.5 million in 1980, and 53.1 million in 1965). It was approximately 25% greater than the preseason forecast of 41.8 million.

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

The estimated ex-vessel value of the 1993 Bristol Bay salmon fisheries totaled \$153.7 million. This is the fifth largest ex-vessel value on record, but well below the \$202.3 million record value attained in 1990 when salmon prices were high and below last years ex-vessel value of \$191.3 million. It was, however, well above the 1973 to 1992 mean value of \$102.9 million.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

We opened 482 cases during the Bristol Bay fishery this year, up from a previous all time high of 328 in 1991. We filed 509 criminal charges in 1993. There were 52 cases with multiple defendants and we had 31 cases where there were multiple charges per defendant.

We seized 581,474 pounds of fish during the season, of which; 161,172 has been forfeited to date. Based on an average of \$.60 per pound, forfeiture value of this fish is \$96,730.20.

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

As of December 9, 1993, gross fines for the program have been \$1,065,633.86, with only \$230,500 of that being suspended. This leaves a total of \$835,133.86 in net fines due the State.

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

<u>VIOLATION</u>	<u># OF OCCURRENCES</u>
ASSAULT III	1
COMMERCIAL FISH AID AND ABET	2
COMMERCIAL FISH ANCHOR DRIFT NET	4
COMMERCIAL FISH CLOSED PERIOD	28
COMMERCIAL FISH CLOSED WATERS	311
COMMERCIAL FISH DRIFT TOO CLOSE	18
COMMERCIAL FISH EMPLOY UNLICENSED CREW	15
COMMERCIAL FISH FAIL TO MARK BUOY	5
COMMERCIAL FISH FAIL TO RECORD	4
COMMERCIAL FISH FAIL TO REGISTER	6
COMMERCIAL FISH FALSE FISH TICKET	2
COMMERCIAL FISH FALSE STATEMENT	3
COMMERCIAL FISH ILLEGAL GEAR	1
COMMERCIAL FISH ILLEGAL POSSESSION	5
COMMERCIAL FISH IMPROPERLY MARKED BUOY	1
COMMERCIAL FISH IMPROPERLY MARKED GEAR	6
COMMERCIAL FISH MISCELLANEOUS CHECK/STOP	1
COMMERCIAL FISH NET OUT TOO FAR	21
COMMERCIAL FISH NO BUOY	4
COMMERCIAL FISH NO CREW LICENSE	26
COMMERCIAL FISH NO PERMIT	3
COMMERCIAL FISH NO PHOTO ID	18
COMMERCIAL FISH NO VESSEL NAME	3
COMMERCIAL FISH NO VESSEL NUMBERS	6
COMMERCIAL FISH PERMIT HOLDER NOT PRESENT	5
LOG: BOATING ACCIDENT	1
LOG: CARCASS FOUND	1
LOG: COMMERCIAL FISH CLOSED PERIOD	1
LOG: COMMERCIAL FISH DRIFT TOO CLOSE	8
LOG: COMMERCIAL FISH FAIL TO REGISTER	2
LOG: COMMERCIAL FISH INTERFERE WITH GEAR	2
LOG: COMMERCIAL FISH MISCELLANEOUS	1
LOG: COMMERCIAL FISH NO VESSEL NUMBERS	1
LOG: COMMERCIAL FISH OVERLIMIT OF GEAR	4
LOG: COMMERCIAL FISH SET NET TOO CLOSE	1

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<u>VIOLATION</u>	<u># OF OCCURANCES</u>
LOG: FOUND NET	2
LOG: GAME NUISANCE BEAR	1
LOG: MEDICAL ASSIST	1
LOG: PERSONAL USE CLOSED SEASON	2
LOG: PROCESS SERVED	1
LOG: PUBLIC ASSIST	3
LOG: UNMARKED GILLNET	1
SPORT FISH NO KING STAMP	2
SPORT FISH NO LICENSE	13
SPORT FISH USE BAIT	1
WARNING: COMMERCIAL FISH ANCHOR DRIFT NET	4
WARNING: COMMERCIAL FISH CLOSED PERIOD	2
WARNING: COMMERCIAL FISH CLOSED WATERS	8
WARNING: COMMERCIAL FISH DRIFT TOO CLOSE	1
WARNING: COMMERCIAL FISH EMPLOY U/L CREW	7
WARNING: COMMERCIAL FISH FAIL TO MARK NET	1
WARNING: COMMERCIAL FISH INTERFERE WITH GEAR	1
WARNING: COMMERCIAL FISH NO CREW LICENSE	5
WARNING: COMMERCIAL FISH NO VESSEL ID	1
WARNING: SPORT FISH NO LICENSE	6

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

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

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

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



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

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



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

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

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

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

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

Cpl. Dean Layton
Trp. Lonnie Swanson
VTII Bill Wertanen
BOI Don Wood (cook)
BOI John Gianguilli
BOI Mike Reuter
Trp. Ken Woldstad
AST Trp. Willard Ellis

P/V TROOPER (Egegik)

Trp. Robert Rodrigues
Trp. Scott Jones
BOI Rick Gottwald
VTI Mark Selvog
FWEO Bob Beasley
AST Trp. Jeff Edmondson
AST Trp. Frank D'Angelo

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

Trp. Rollin Young
FWEO Scott Quist

KING SALMON

Lt. Thomas Schwantes
Sgt. Don Starbard
Trp. Gary Folger (pilot)
Trp. Curt Bedingfield (pilot) (set net)
FWEO Rohn Nelson (set net)
AST Trp. Joanna Roop (set net)
RDII Jolene Dodge
CIV Cynthia Nestegard
CTIII Kim Spaans

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DILLINGHAM

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

Trp. Jim Lowe (22' Whaler)

FWEO Eric Olsen (22' Whaler)

AIRCRAFT

PA18 Cub on floats (King Salmon)

PA18 Cub on wheels (King Salmon)

PA18 Cub on floats (Dillingham)

King Air (transportation of TDY personnel)

VESSELS

P/V WOLDSTAD (2 skiffs)

P/V TROOPER (2 skiffs)

P/V PUBLIC SAFETY #1 (1 skiff)

22' Whaler (King Salmon)

22' Whaler (Dillingham)

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

AIRCRAFT HOURS

Cessna 714NK

1.2 Hours

PA18 24005

42.5 Hours

PA18 7056

54.9 Hours

PA18 88AK

64.4 Hours

=====

TOTAL AIRCRAFT HOURS**163.4 Hours**

FY93 AIRCRAFT HOURS = 82.5

FY94 AIRCRAFT HOURS = 80.9

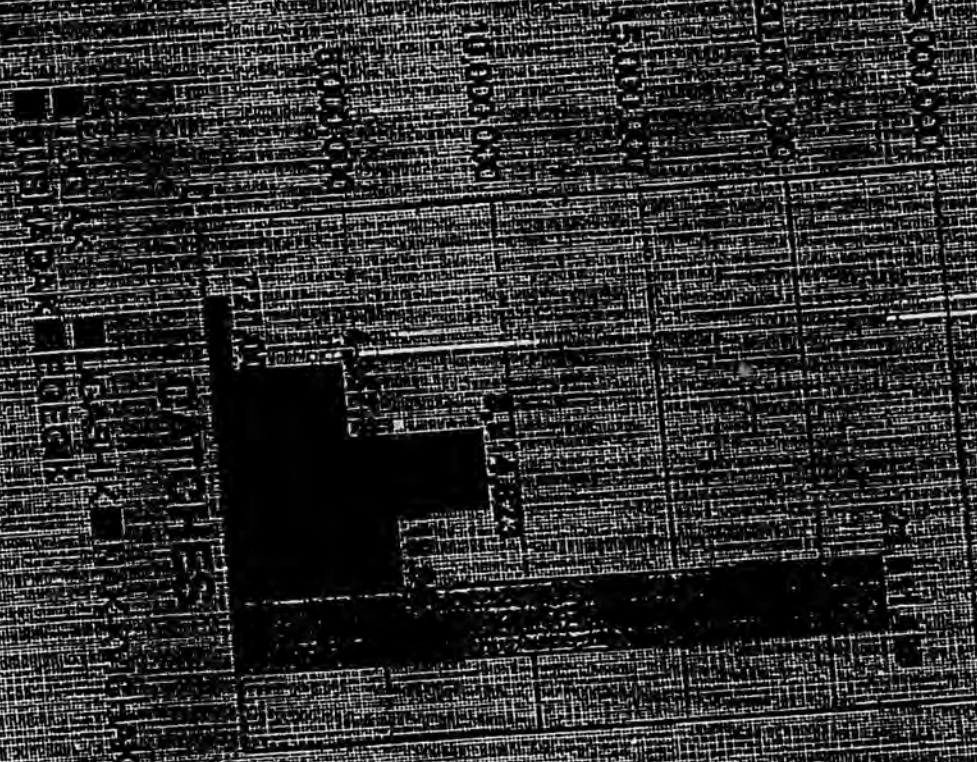
ALASKA
DEPARTMENT OF PUBLIC SAFETY
FISH AND WILDLIFE PROTECTION
BRISTOL BAY SALMON ENFORCEMENT
1993 SEASON

Commissioner
Richard L. Bunton



ADFG Statistics

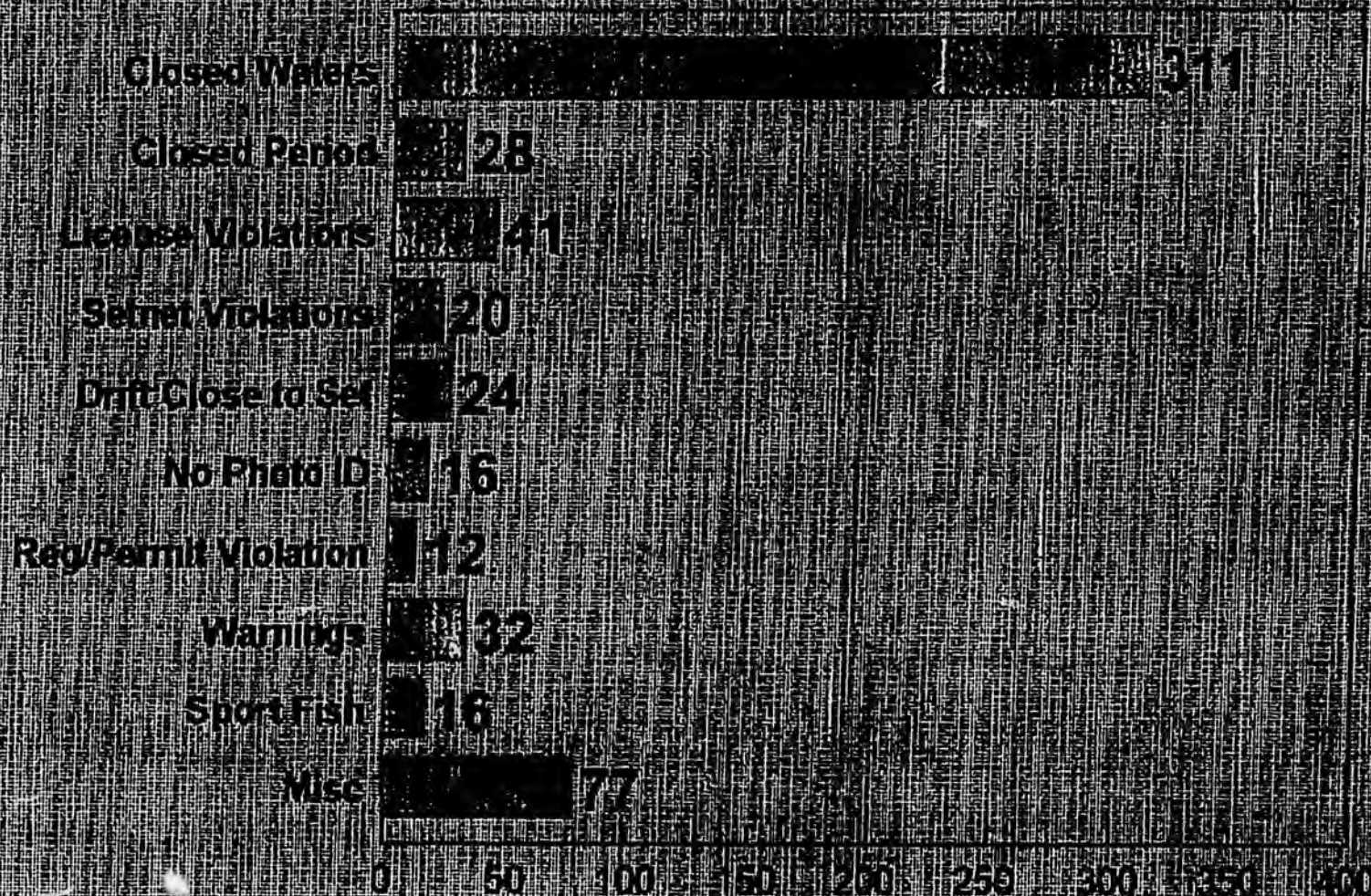
- Ex-vessel value of 1983 harvest \$153.7 million
- 5th largest ever
- Total run was 53,619,017 fish
- 3rd largest run ever
- Total catch was 41,724,096
- Largest sockeye catch in record exceeding the prior record of 37.4 million
- 1983 record of 27.4 million
- Total Escapement = 11,895,001



1998 BUREAU OF FISH & WILDLIFE COSTS VS. INCOME COMPARISON

EXPENSES	
PERSONAL SERVICES	\$173,050.00
TRAVEL	\$ 27,572.00
CONTRACTUAL	\$ 9,494.00
SUPPLIES	\$ 17,812.00
TOTAL EXPENSES	\$227,928.00
INCOME	
FINES	\$ 835,133.88
SEIZED FISH	\$ 86,730.20
FORFEITED GEAR	\$ 3,700.00
CIVIL FINES	\$ 35,000.00
TOTAL INCOME	\$962,564.08
CHARGE REMAINING TO BE	settled - \$5.

1993 Distribution of Case Load



1991 - 92 - 93 COMPARISONS



PERSONNEL
■ 1991 ■ 1992 ■ 1993



VESSELS
■ 1991 ■ 1992 ■ 1993

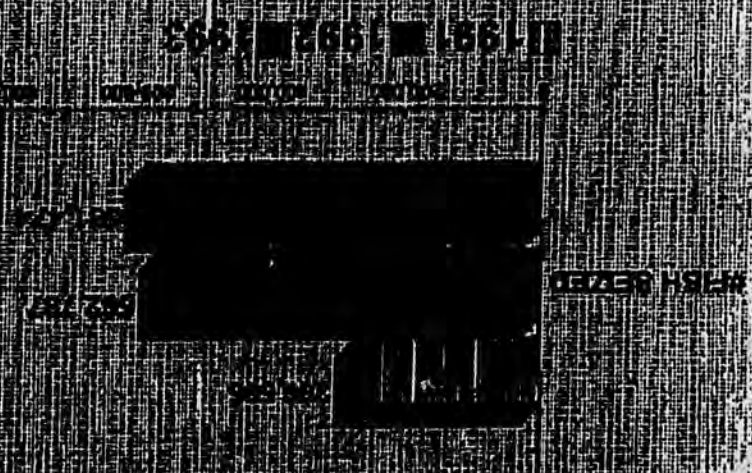
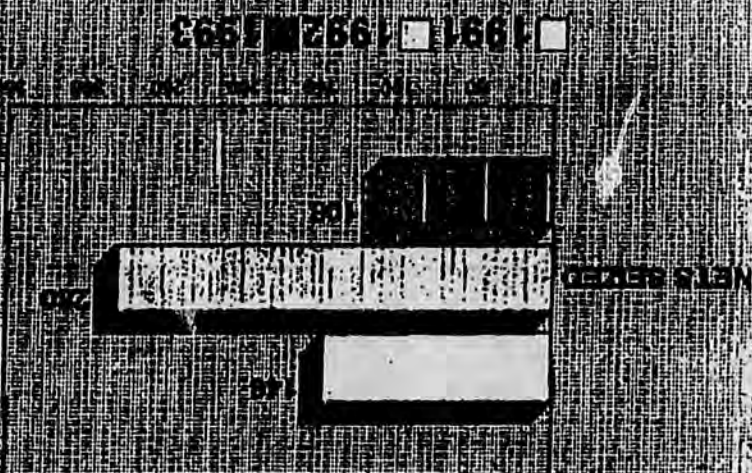
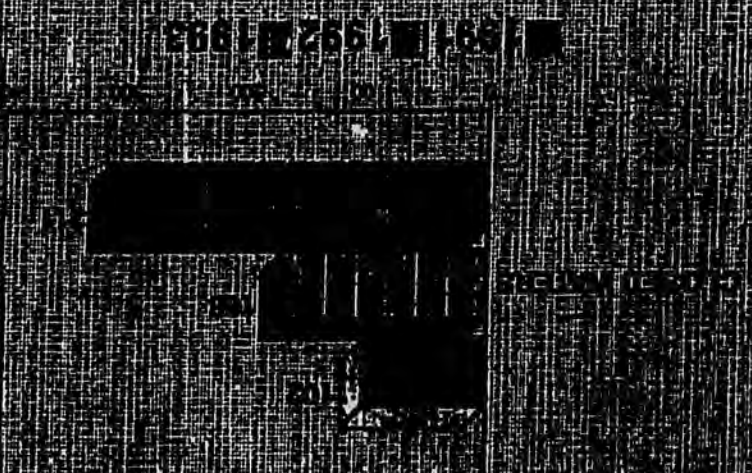


BOATS
■ 1991 ■ 1992 ■ 1993



AIRCRAFT
■ 1991 ■ 1992 ■ 1993

1991 - 92 - 93 COMPARISONS



SCOMM

95:48

Alaska State Legislature

Chairman,
Judiciary Committee

Vice Chairman,
Transportation Committee

Member,
Resources Committee
Western Legislative Forestry Task Force



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Senator Robin L. Taylor

Sponsor Statement for SSSB 42 am

Stacking and unstacking of dungeness limited entry permits

In the First Session of the Nineteenth Alaska Legislature House Bill 107, the counterpart to Senate Bill 42 was passed to ensure that the Southeast Alaska Dungeness crab fishery would not open to entry by a flood of new entrants. This passed legislation represented a new method to limit a fishery.

Prior to the passage of HB 107 in the Senate, a consensus was reached among the people involved in this fishery. Fisherman who were adamant that limited entry be instituted in the traditional fashion agreed to a tiered system, if it had the stacking unstacking provision. That provision, which the original sponsor substitute represented, was the factor that convinced the majority of those involved in the fishery to support the tiered legislation.

Unfortunately, due to the imminent adjournment of the first session, there was not enough time to change the title on the House Bill to accomplish the stacking unstacking provision. Consequently, the bill was passed without that compromise provision. It was thought that it would be better to attain limited entry than to reopen the fishery to new entrants.

Sponsor substitute for Senate Bill 42 amended would permit a modification of the original compromise worked out by the involved parties to go forward. The modification allows a maximum of two permits to be combined or stacked. These permits would be issued as two separate gear cards and the fisherman would not be allowed to exceed the maximum legally allowed gear limitation set by the Board of Fisheries.

CFEC is supportive of the legislation. Parties that objected to the original sponsor substitute, such as the Southeast Alaska Dungeness Crabbers Association are supportive of the amended sponsor substitute. The Petersburg Vessel Owners Association has endorsed the legislation in its present form.

District A:

Hyder • Ketchikan • Kupreanof • Meyers Chuck • Petersburg • Saxman • Sitka • Wrangell

Petersburg Vessel Owners Association

P.O. Box 232

Petersburg, Alaska 99833

Phone (907) 772-9323. Voice and Fax

April 1, 1996

Senator Robin Taylor
Alaska State Legislature
State Capitol, room 20
Juneau, AK 99802.

Dear Senator Taylor:

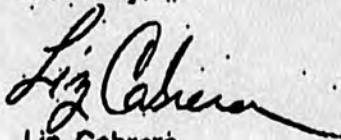
The Petersburg Vessel Owners Association would like to provide you with our position on Senate Bill 42, which would allow for stacking of permits in the Dungeness crab fishery in Southeast Alaska.

PVOA supports S.B. 42 as long as it is amended to include a provision preventing consolidation of permits by limiting the total number of permits which can be "stacked" to two. By including this provision, it will prevent consolidation of the "d" or 75 pot permits into 300 pot blocks and ensure there will be smaller permits available for new entrants to work their way into the fishery.

This amendment addresses the concerns expressed by our members who participate in this fishery and is consistent with positions our organization has taken in the past.

Senator, we would like to thank you for all your efforts on behalf of the Dungeness crabbers in Southeast; and commend your staff, particularly Terry Otness, for his efforts on this issue.

Sincerely,



Liz Cabrera
Director

cc: Rep. Ben Grussendorf
Rep. Bill Williams

4/1/96

HONORABLE SENATOR TAYLOR,

THE SOUTHEAST DUNGENESS CRAB ASSOCIATION
WOULD LIKE TO LEND THEIR SUPPORT
TO SB 42, PROVIDING THE STACKING
PROVISION IS LIMITED TO TWO PERMITS
THIS SHOULD PROTECT MANY OF THE
ENTRY LEVEL PERMITS (I.E. 75 POT TIER) WHILE
PROVIDING AN OPPORTUNITY FOR SOME
INDIVIDUAL GROWTH WITHIN THE FISHERY.

SINCERELY,

WILLIAM FLOR

SOUTHEAST DUNGENESS CRAB
ASSOCIATION

3/27/96

MEMBERS OF SENATE RESOURCES:

I'D LIKE TO COMMENT ON SB 42. THE STACKING AMENDMENT RUNS CONTRARY TO THE ORIGINAL IDEA OF THE STACKING PROVISION WHICH ALLOWED FOR PARTICIPATION IN THE FISHERY BASED ON PREVIOUS EFFORT WHILE ALLOWING FOR ENTRY LEVEL OPPORTUNITYS FOR OUR INSTATE FISHERMEN.

THE STACKING AMENDMENT ALSO WILL PROMOTE A MUCH FASTER GROWTH OF THE OVERALL NUMBER OF POTS FISHING WHILE DECREASING THE ACTUAL PARTICIPANTS. THE BOARD OF FISH HAS ALSO VOIKED CONCERNS ABOUT THE 18,000 POTENTIAL POTS AND THE CONSERVATION PROBLEMS WHICH THIS WOULD PRESENT. THE STACKING PROVISION CAN ONLY FACILITATE THIS.

I URGE YOU TO OPPOSE THIS AMENDMENT TO SB42.

THANK YOU BILL FLOR,

Feb. 29, 1996

Southeast Alaska Dungeness Crab
Petition for Stacking Provision

We, the undersigned fishermen, would urge the legislature to add a stacking provision to the Southeast Alaska dungeness crab fishery. We were disappointed last year when, H.B. 107 was passed in the last days of the 1995 session, without a stacking provision in it, as the bill was originally written. As it now stands, many fishermen with a history in the dungeness fishery will be cut back in the number of pots they can use after 1996; as a result of the limited entry program due to start in 1997.

If the C.F.E.C. finds it necessary to limit the number of pots in the fishery; then an equal percentage of pots should be removed from all entrants equally. Example: A 300 pot permit would lose 30 pots and a 75 pot permit would lose 7 pot; on a 10% cut. Decisions to reduce pots fishing, should have nothing to do with the buying of selling of permits as has been proposed.

Within a stacking provision, if an individual is given 150 pots initially and buys two more 75 pot permits to reach the maximum of 300 pots; then conversely, they should be able to break them down as purchased for disposal or be able to sell them as one unit to another fisherman as the permit holder sees fit.

Name (Print)	Signature	Address
<u>JEREMY C. JENSEN</u>	<u>Jeremy C. Jensen</u>	<u>PO Box 681 Psg. AK</u>
<u>MARK JENSEN</u>	<u>mzj</u>	<u>Box 457 Psg AK</u> <u>772-4635</u>
<u>JOHN E. JENSEN</u>	<u>John E. Jensen</u>	<u>Box 681 Psg. AK</u> <u>15 Hammond Slough</u>
<u>CHARLES CHRISTENSEN</u>	<u>Charlie Christensen</u>	<u>Box 824 Psg. AK</u>
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<u>Jay Thomassen</u>	<u>Jay Thomassen</u>	<u>1444 Commodore Dr</u>
<u>Olav MORTENS</u>	<u>Olav Mortens</u>	<u>Box 623 Psg. AK</u>

Name (print)

Signature

Address

Hunt Can

DAVE SOMERVILLE

TROY CURTISS

DARRYL P. OLSON

Diane Olson

CARL R. ANDERSON

Dan H. Schweitzer

Ralph Clarkson

MARTIN L. OLSEN

JOHN EIDE

TED LEWIS

GEORGE DODDINGTON

Terry J. Haddock

Carl E. Crome

Gordon Scott OLSEN

Dennis K. Rogers

Steven Davis

Hunt Can

Dave Somerville

Troy E. Curtis

Darryl P. Olson

Diane Olson

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Rick D. Versteeg

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Cheryl J. Crawford

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Name(print)

Signature

Address

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Edward H. Crawford

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Daniel Creme

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BOARD OF FISH CHAIRMEN

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