

1112

HRES

HB 630

-

HB

665

112

1	POSITION TITLE Clerk Typist II				RANGE/STEP 7	RANG UNIT GGU	LOCATION Juneau	GOV	APPROV.	DISAPP
2	TYPE OF POSITION PFT	STAFF MONTHS 12	HP No.	PCN No.	PRIORITY 1	FORM 12 - PAGE/LINE		LEG		

3	TYPE OF EXPENDITURE		AMOUNT
	1	2	3
4	PERSONAL SERVICES- SALARY	1,207 P/M	14,484
5	BENEFITS	.1542	2,233
6	FICA	.0665	963
7	TRAVEL	127 x 12	1,524
8	TOTAL PERSONAL SERVICES		19,204
9	TRAVEL		-
10	CONTRACTUAL		5,200
11	COMMODITIES		280
12	EQUIPMENT		1,000
13	OTHER		
14	TOTAL OTH.		25,684

JUSTIFICATION:
 Pers. Svcs: Salary schedule effective 3/16/80.
 Contractual Services: Cos per position in this BRU (99.0 ÷ 19).
 Commodities: Cost per position for FY '81 budget (5.2 ÷ 19).
 Equipment: Desk, chair, etc.

Justification for Position: This position will need all the necessary tools of the trade.

This position is required to do the necessary typing, filing, and general clerical backup for the other two positions.

	CODE	FUNDING SOURCE	
15		FED REPTS	
16		GR MATCH	
17		GEN FUND	25,684
18		F & H PIS	
19		REP REPTS	
20		OTHER	

21 CONTINUATION
 22 ADDITION XXXX FOR B&M USE ONLY

4A KEY NUMBER _____ COLUMN NO. _____

AGENCY Labor PROGRAM AREA Worker Protection
 BRU Wage & Hour
 COMPONENT Wage & Hour Admin.

13 REQUEST FOR NEW POSITION

FY 81

Page 3 of 3 REVISION DATE

STATE OF ALASKA

DEPARTMENT OF REVENUE

OFFICE OF THE COMMISSIONER

JAY S. HAMMOND, GOVERNOR

POUCH 5
JUNEAU, ALASKA 99811

April 24, 1980

The Honorable Alvin Osterback
Co-Chairman
House Resources Committee
Room 118 - Capitol Building
Juneau, Alaska 99811

Dear Mr. Osterback:

Re: CS for Sponsor Substitute for House Bill No. 630

The Department of Revenue was furnished a draft copy of CS for Sponsor Substitute for House Bill No. 630, an Act relating to limited entry and providing penalties for the taking and sale of fish without an entry permit or interim-use permit, with a request for a Fiscal Note on that portion of the bill concerning the Department of Revenue.

For the consideration of the House Resources Committee, I am enclosing copies of Fiscal Notes prepared by Gary Jenkins, Director, Audit Division, and P. A. Wall, Director, Administrative Services Division of the Department of Revenue concerning the proposed legislation.

Sincerely,



R. D. STEVENSON
Special Assistant

cc: The Honorable Bill Miles
Co-Chairman
House Resource Committee

Joseph K. Donohue
Deputy Commissioner
Department of Revenue

Gary Jenkins, Director
Audit Division
Department of Revenue

P. A. Wall, Director
Administrative Services Division
Department of Revenue

STATE OF ALASKA

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The Honorable Alvin Osterback
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Room 118 - Capitol Building
Juneau, Alaska 99811

Dear Mr. Osterback:

Re: CS for Sponsor Substitute for House Bill No. 630

The Department of Revenue was furnished a draft copy of CS for Sponsor Substitute for House Bill No. 630, an Act relating to limited entry and providing penalties for the taking and sale of fish without an entry permit or Interim-use permit, with a request for a Fiscal Note on that portion of the bill concerning the Department of Revenue.

For the consideration of the House Resources Committee, I am enclosing copies of Fiscal Notes prepared by Gary Jenkins, Director, Audit Division, and P. A. Wall, Director, Administrative Services Division of the Department of Revenue concerning the proposed legislation.

Sincerely,

R. D. Stevenson
Special Assistant

cc: The Honorable Bill Miles
Co-Chairman
House Resource Committee

P. A. Wall, Director
Administrative Services Division
Department of Revenue

Joseph K. Donohue
Deputy Commissioner
Department of Revenue

Gary Jenkins, Director
Audit Division
Department of Revenue

THE LEGISLATURE OF THE STATE OF ALASKA
ELEVENTH LEGISLATURE

FISCAL NOTE

I. REQUEST

Bill/Resolution No. CS for Sponsor Substitute for House Bill No. 630
 Title An Act relating to limited entry and providing penalties for taking & possession by (sale of fish without entry permit or inter-house permit.

Requested by: House Resources Committee

Date: 4/23/80

II. FISCAL DETAIL

Agency Affected _____ Revenue _____
 Program Category Affected _____ Fiscal Services _____
 BRU, Program, or Subprogram(s) Affected _____ Audit Division _____

(Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)

EXPENDITURES (Thousands of Dollars)

	FY 80	FY 81	FY 82	FY 83	FY 84	FY 85
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL	-0-	-0-	-0-	-0-	-0-	-0-

FUNDING (Thousands of Dollars)

	FY 80	FY 81	FY 82	FY 83	FY 84	FY 85
GENERAL FUND	-0-	-0-	-0-	-0-	-0-	-0-
FEDERAL FUNDS						
OTHER (Specify Fund Source)						

POSITIONS

None

FULL TIME						
PART TIME						
TEMPORARY						

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

IV. DATE April 24, 1980

PREPARED BY [Signature]
 AGENCY Department of Revenue, Audit Division
 PHONE 465-2320

Original: Legislative Finance
 cc: Budget and Management
 Prime Sponsor (First Legislator Named)

THE LEGISLATURE OF THE STATE OF ALASKA
ELEVENTH LEGISLATURE

FISCAL NOTE

I. REQUEST CSSHB 630
 Bill/Resolution No. _____
 Title Relating to limited entry and providing penalties for taking and sale of fish
without a permit or interim-use permit Date 4/24/80

II. FISCAL DETAIL
 Agency Affected _____ Revenue _____
 Program Category Affected General Government
 BRU, Program, or Subprogram(s) Affected Administration and Support, Office of the Commissioner
 (Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)
EXPENDITURES (Thousands of Dollars)

	FY 80	FY 81	FY 82	FY 83	FY 84	FY 85
100 PERSONAL SERVICES		70.4	75.3	80.6	86.2	92.3
200 TRAVEL		2.5	2.7	2.9	3.1	3.3
300 CONTRACTUAL		48.0	51.4	55.0	58.8	62.9
400 COMMODITIES		.5	.5	.6	.6	.7
500 EQUIPMENT		1.2				
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL		122.6	129.9	139.1	148.7	159.2

FUNDING (Thousands of Dollars)

	FY 80	FY 81	FY 82	FY 83	FY 84	FY 85
GENERAL FUND		122.6	129.9	139.1	148.7	159.2
FEDERAL FUNDS						
OTHER (Specify Fund Source)						

POSITIONS

	2/23mm	2/24mm	2/24mm	2/24mm	2/24mm
FULL TIME					
PART TIME					
TEMPORARY					

III. ANALYSIS (See Fiscal Rate Preparation Instructions, Section III)

Section I requires that the Commissioner of Revenue revoke or suspend certain fish processor and buyer licenses as governed by AS 44.02. A staff conference and typing position will be required. Contractual hearing officer funds will be needed.

Positions - 1 PFT Hearing Officer, R 24 @ \$1,000 40.1
 Benefits - 6.0, FICA - 2.7, O.I. - 1.5 10.2
 1 PFT Clerk Typist III, R 0 @ \$1,000 15.3
 Benefits - 2.3, FICA - 1.0, O.I. - 1.5 4.8

70.4

(continued on next page)

IV. DATE April 24, 1980 PREPARED BY C. A. Wolf
 AGENCY Revenue
 Original - Legislative Finance PHONE 465-2001
 cc - Budget and Management
 Filing Sponsor (First Legislator Named)

CSSHB 630 (continued)

Travel	=	2.5	
Contractual - Communications	=	2.0	
Hearing Officer - 15 Hearings @ 3.0 ea.	=	45.0	
Miscellaneous - Equipment Rental		<u>1.0</u>	
			48.0
Commodities		.5	
Equipment		1.2	

Original sponsor: Anderson

Need fiscal note before
House Resources Mtg.
Thurs. April 24 3pm

IN THE HOUSE

BY THE RESOURCES COMMITTEE

CS FOR SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 630

IN THE LEGISLATURE OF THE STATE OF ALASKA

ELEVENTH LEGISLATURE - SECOND SESSION

A BILL

For an Act entitled: "An Act relating to limited entry and providing penalties for the taking and sale of fish without an entry permit or interim-use permit."

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

* Section 1. AS 16.10 is amended by adding new sections to read:

Sec. 16.10.265. PURCHASE OF FISH FROM PERMIT HOLDERS. (a) A licensed fish processor or primary fish buyer may purchase raw fish only from a seller who holds an entry permit or an interim-use permit issued or transferred to the seller in accordance with AS 16.43.

(b) When a fisherman sells fish to a fish processor or primary fish buyer, the fisherman shall have in his possession an entry permit or interim-use permit issued or transferred to him under AS 16.43 and

(1) a picture identification card; or

(2) if the entry permit or interim-use permit was transferred to the fisherman under AS 16.43.180, an emergency transfer slip completed in accordance with AS 16.43.180 and with regulations of the Alaska Commercial Fisheries Entry Commission adopted under AS 16.43.180.

(c) If requested by a fish processor or primary fish buyer or by a peace officer, the fisherman shall present the picture identification card or emergency transfer slip required to be in his possession under (b) of this section for inspection.

(d) If a licensed fish processor or primary fish buyer purchases raw fish in violation of this section, the commissioner of revenue shall suspend his license for a period of time the commissioner of revenue

determines is appropriate. After three suspensions his license may be permanently revoked by the commissioner of revenue. Proceedings to suspend or revoke a license under this subsection are governed by the Administrative Procedure Act (AS 44.62).

(e) In (b)(1) of this section "picture identification card" means an identification card issued by a local, state, or federal agency which bears a photograph of the person to whom the card is issued. A "picture identification card" may include, but is not limited to, a motor vehicle operator's license issued under AS 28.15.080, an identification card issued under AS 18.65.310, or a fishermen's identification card issued under AS 16.10.267.

Sec. 16.10.267. FISHERMEN'S IDENTIFICATION CARDS. (a) Upon payment of a \$5 fee, the Department of Public Safety shall issue a fishermen's identification card to a person who requests one. The fishermen's identification card shall be identical to an identification card issued under AS 18.65.310 except that the fishermen's identification card may include the number of an entry permit possessed by the person identified on the card.

(b) A person may obtain a fishermen's identification card by applying to the Department of Public Safety on forms and in the manner prescribed by the Department of Public Safety.

(c) A person who knowingly makes a fraudulent written statement or application for a fishermen's identification card concerning age, race, sex, entry permit number or other identifying characteristics, is guilty of a class B misdemeanor.

(d) It is a class B misdemeanor for a person to possess, use, produce or manufacture a fraudulent fishermen's identification card.

(e) It is a class B misdemeanor for a person to allow a fishermen's identification card issued to him to be used by another person.

* Sec. 2. AS 16.10.296 is amended to read:

Sec. 16.10.296. DEFINITIONS. In AS 16.10.265 - 16.10.296 [AS 16.-10.270 - 16.10.296], unless the context otherwise requires,

(1) "commissioner" means the commissioner of labor;

(2) "fish" means any species of aquatic fin fish, invertebrates and amphibians, shellfish, or any other raw fishery resource, in any stage of its life cycle, found in or introduced into the state;

(3) "fish processor" means a person engaging or attempting to engage in a business for which a license is required under AS 43.75.-010 - 43.75.090;

(4) "primary fish buyer" means a person, other than a cooperative corporation organized under AS 10.15, engaging or attempting to engage in the business of originally purchasing or buying any raw fishery resource in intrastate, interstate, or foreign commerce.

* Sec. 5. AS 16.43.360(a) is amended to read:

(a) A person who violates or assists in the violation of a provision of this chapter or a regulation promulgated under this chapter is, upon conviction, guilty of a misdemeanor and is punishable by a fine of not more than \$5,000 for a first conviction, and a fine of not more than \$10,000 for a second or third conviction. Upon a third conviction, the person shall forfeit all interim-use and entry permits held by him and loses eligibility for future issuance or transfer of interim-use or entry permits for a period of three years. Upon a first or second conviction under this section, the court may in its discretion order a forfeiture of interim-use or entry permits held by him as well as a loss of eligibility for future issuance or transfer of interim-use or entry permits or order a suspension of fishing rights under interim-use or entry permits held or to be held by him for a period of not more than three years. This subsection does not apply to violations of AS 16.43.

140(a).

* Sec. 4. AS 16.43.360 is amended by adding a new subsection to read:

(f) A person who violates the provisions of AS 16.43.140(a), upon conviction, shall forfeit the value of the fish caught by the person in the course of the violation. In addition, the person is subject to the following penalties:

(1) a fine of not less than \$1,000 or more than \$5,000 upon the first conviction;

(2) a fine of not less than \$5,000 or more than \$10,000 and loss of all fishing privileges in the state, including subsistence, sport and commercial fishing privileges, for two years after the date of conviction upon the second conviction;

(3) forfeiture of the vessel and gear used in the violation and imprisonment for a period of not less than three months or more than one year upon each conviction after the second.

Original sponsor: Anderson

Need fiscal note before
House Resources Mtg.
Thurs. April 24 3pm

IN THE HOUSE

BY THE RESOURCES COMMITTEE

CS FOR SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 630

IN THE LEGISLATURE OF THE STATE OF ALASKA

ELEVENTH LEGISLATURE - SECOND SESSION

A BILL

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(c) If requested by a fish processor or primary fish buyer or by a peace officer, the fisherman shall present the picture identification card or emergency transfer slip required to be in his possession under (b) of this section for inspection.

(d) If a licensed fish processor or primary fish buyer purchases raw fish in violation of this section, the commissioner of revenue shall suspend his license for a period of time the commissioner of revenue

determines is appropriate. After three suspensions his license may be permanently revoked by the commissioner of revenue. Proceedings to suspend or revoke a license under this subsection are governed by the Administrative Procedure Act (AS 44.62).

(e) In (b)(1) of this section "picture identification card" means an identification card issued by a local, state, or federal agency which bears a photograph of the person to whom the card is issued. A "picture identification card" may include, but is not limited to, a motor vehicle operator's license issued under AS 28.15.080, an identification card issued under AS 18.65.310, or a fishermen's identification card issued under AS 16.10.267.

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(2) a fine of not less than \$5,000 or more than \$10,000 and loss of all fishing privileges in the state, including subsistence, sport and commercial fishing privileges, for two years after the date of conviction upon the second conviction;

(3) forfeiture of the vessel and gear used in the violation and imprisonment for a period of not less than three months or more than one year upon each conviction after the second.

JAY S. HAMMOND, GOVERNOR

DEPARTMENT OF LABOR

OFFICE OF THE COMMISSIONER

P. O. BOX 1149
JUNEAU, ALASKA 99811

March 10, 1980

Ms. Mary Levan
Administrative Assistant
House Resources Committee
Pouch V
Juneau, Alaska 99811

Dear Ms. Levan:

Thank you for taking the time to discuss Sponsor Substitute for HB 630 with me last week. I am providing a corrected Fiscal Note with sufficient copies for the committee's bill folders. My apologies for the most embarrassing error in our original submission.

Please advise if the bill should be rescheduled for hearing.

Sincerely,



Judy G. DuBois
Legislative Liaison

Enclosures

THE LEGISLATURE OF THE STATE OF ALASKA
ELEVENTH LEGISLATURE

FISCAL NOTE

I. REQUEST

Bill/Resolution No. Sponsor Substitute for House Bill 630

Title An Act relating to the taking and sale of fish without an entry permit

Requested by Angerson

Date 2/25/80

II. FISCAL DETAIL

Agency Affected Labor

Program Category Affected Worker Protection

BRU, Program, or Subprogram(s) Affected Wage and Hour Administration

(Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)

EXPENDITURES (Thousands of Dollars)

	FY 80	FY 81	FY 82	FY 83	FY 84	FY 85
100 PERSONAL SERVICES	0	77.3	77.3	77.3	77.3	77.3
200 TRAVEL	0	8.5	9.1	9.7	10.4	11.1
300 CONTRACTUAL	0	17.2	18.4	19.6	21.0	22.5
400 COMMODITIES	0	.8	.9	1.0	1.0	1.1
500 EQUIPMENT	0	3.3	0	0	0	0
600 LAND & STRUCTURES	0	0	0	0	0	0
700 GRANTS, CLAIMS, ETC.	0	0	0	0	0	0
TOTAL	0	107.1	105.7	107.6	109.7	112.0

FUNDING (Thousands of Dollars)

GENERAL FUND	0	107.1	105.7	107.6	109.7	112.0
FEDERAL FUNDS						
OTHER (Specify Fund Source)						

POSITIONS

FULL TIME	0	3	3	3	3	3
PART TIME	0	0	0	0	0	0
TEMPORARY	0	0	0	0	0	0

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

- a. Assume effective date July 1, 1980.
- b. Salary schedule effective 3/16/80. No increase for inflation.
- c. Non-personal services expenditures (200-400) increase at 7% inflation rate.

IV. DATE February 25, 1980

PREPARED BY James Souby

AGENCY Labor

PHONE 465-2720

Original Legislative Finance

cc Budget and Management

Prime Sponsor (First Legislator Named)

1	POSITION TITLE Wage & Hour Investigator I			RANGE/STEP 16 A	BASIC UNIT GGU	LOCATION Juneau	GDV	APPROV.	DISAPP
2	TYPE OF POSITION PFT	STAFF MONTHS 12	HP No.	PCN No.	PRIORITY 1	FORM 12	PAGE/LINE	LEV.	
3	TYPE OF EXPENDITURE			AMOUNT					
	1			2			3		
4	PERSONAL SERVICES:								
	SALARY			2,132 P/M	25,584				
5	BENEFITS			1,542	3,945				
6	FICA			.0665	1,701				
7	HEALTH INS			127 x 12	1,524				
8	TOTAL PERSONAL SERVICES				32,754				
9	TRAVEL				7,500				
10	CONTRACTUAL				6,750				
11	COMMODITIES				280				
12	EQUIPMENT				1,250				
13	OTHER								
14	TOTAL COST				48,534				
JUSTIFICATION									
<p>Pers. Service: Salary schedule effective 3/16/80. Travel: Extensive travel to all areas in the state. Contractual Services: Cost per position for proposed FY '81 Budget plus amendment. (99.0 ÷ 19), plus chartering cost to remote areas. Commodities: Cost per position for FY '81 Budget (5.2 ÷ 19). Equipment: Desk, Chair, dictating equipment, etc.</p> <p>Justification for position: This position is needed to promulgate regulations to implement that act. To investigate violations and to hold hearings on suspensions and revocations. This investigator will be required to hold hearings in locations where possible violations may reside, to interview witnesses, and to gather evidence.</p>									
	LODI	FUNDING SOURCE							
15		FED RCPTS							
16		GF MATCH							
17		GEN FUND			48,534				
18		F. A. RCPTS							
19		PGM RCPTS							
20		OTHER							
21	CONTINUATION								
22	ADDITION			XXXX	FOR B&M USE ONLY				
4A KEY NUMBER _____ COLUMN NO. _____									

AGENCY Labor PROGRAM AREA Worker Protection
Wage & Hour
Wage & Hour Admin.

13 REQUEST FOR NEW POSITION

BRU COMPONENT

FY 81

1	POSITION TITLE : Wage & Hour Technican I			RANGE/STEP 12	BARG. UNIT GGU	LOCATION Juneau	APPROV. GGV	DISAPP
2	TYPE OF POSITION PFT	STAFF MONTHS 12	RP No.	PCN No.	PRIORITY 1	FORM 12 PAGE/LINE	LEG	
3	TYPE OF EXPENDITURE			AMOUNT				
	1			2				
4	PERSONAL SERVICES			3				
	SALARY 1,628 P/M			19,536				
5	BENEFITS .1542			3,012				
6	FICA .0615			1,299				
7	HEALTH INS 127 x 12			1,524				
8	TOTAL PERSONAL SERVICES			25,371				
9	TRAVEL			1,000				
10	CONTRACTUAL			5,200				
11	COMMODITIES			280				
12	EQUIPMENT			1,000				
13	OTHER							
14	TOTAL COST			32,851				
15	CODE	FUNDING SOURCE						
16		FEDERALS						
17		FED MATCH						
18		FED FUND		32,851				
19		STATE						
20		OTHER						
21	CONTINUATION			FOR B&M USE ONLY				
22	ADDITION	XXXX						
AA	REF NUMBER			COLUMN NO.				

JUSTIFICATION:

Pers. Svcs.: Salary schedule effective 3/16/80.
 Travel: Estimate of 2 - 3 trips between Anchorage and Juneau travel and per diem.
 Contractual: Cost per position for proposed FY '81 budget and amendment (99.0 ÷ 19).
 Commodities: Cost per position for FY '81 Budget (5.2 ÷ 19).
 Equipment: Desk, chair, etc. (one time cost).

Justification for position: The position is needed to assist the Investigator I in the preparation of regulations. To correspond with fish buyers, fish processors, and fishermen regarding compliance with the law, to audit records, and to assist with hearings.

This position will also need to be outfitted with a desk and other office equipment.

AGENCY Labore PROGRAM AREA Worker Protection

BRU Wage & Hour

COMPONENT Wage & Hour Admin.

Page 2 of 3

REVISED
DATE

FY 81

13 REQUEST FOR NEW POSITION

1	POSITION TITLE Clerk Typist II				RANGE/STEP 7	BARG UNIT. GGU	LOCATION Juneau	APPROV GOV	DISAPP
2	TYPE OF POSITION PFT	STAFF MONTHS 12	RP No.	PCN No.	PRIORITY 1	FORM 12 - PAGE/LINE		LEG	

3	TYPE OF EXPENDITURE		AMOUNT
	1	2	3
4	PERSONAL SERVICES-SALARY	1,207 P/M	14,484
5	TRAVEL	.1542	2,233
6	FICA	.0665	963
7	HEALTH INS.	127 x 12	1,524
8	TOTAL PERSONAL SERVICES		19,204
9	TRIP		-
10	CONTRACTUAL		5,200
11	COMMODITIES		280
12	EQUIPMENT		1,000
13	OTHER		
14	TOTAL COST		25,684

JUSTIFICATION:

Pers. Svcs: Salary schedule effective 3/16/80.
 Contractual Services: Cos per position in this BRU (99.0 ÷ 19).
 Commodities: Cost per position for FY '81 budget (5.2 ÷ 10).
 Equipment: Desk, chair, etc.

Justification for Position: This position will need all the necessary tools of the trade.

This position is required to do the necessary typing, filing, and general clerical backup for the other two positions.

	CODE	FUNDING SOURCE	
15		FED RCPTS	
16		GR MATCH	
17		GEN FUND	25,684
18		F.A. RCPTS.	
19		POP RCPTS	
20		OTHER	

21 CONTINUATION
 22 ADDITION XXXX FOR B&M USE ONLY

4A RE NUMBER _____ COLUMN NO. _____

AGENCY **Labor** PROGRAM AREA **Worker Protection**

BRU **Wage & Hour**

COMPONENT **Wage & Hour Admin.**

13 REQUEST FOR NEW POSITION.

Page **1** of **3**

FY 81

REVISED

as of 3/25/80 - still in Senate Resources

Introduced: 2/5/80
Referred: Resources and Judiciary

Similar to BS#8630

BY THE RESOURCES COMMITTEE BY REQUEST

1 IN THE SENATE

2 SENATE BILL NO. 391

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 ELEVENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the taking and sale of fish without
7 an entry permit or interim-use permit."

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

9 * Section 1. AS 16.10 is amended by adding a new section to read:

10 Sec. 16.10.265. PURCHASE OF FISH FROM PERMIT HOLDERS. A licensed
11 fish processor or primary fish buyer may purchase raw fish only from a
12 seller who holds an entry permit or an interim-use permit issued or
13 transferred to the seller in accordance with AS 16.43.

14 * Sec. 2. AS 16.10.294(c) is amended to read:

15 (c) If a licensee fish processor or primary fish buyer fails to
16 fulfill his obligations as set out in AS 16.10.290 or purchases raw fish
17 in violation of AS 16.10.265, his license shall be suspended for a
18 period of time the commissioner determines is appropriate. After three
19 suspensions his license may be permanently revoked.

20 * Sec. 3. AS 16.10.296 is amended to read:

21 Sec. 16.10.296. DEFINITIONS. In AS 16.10.265 - 16.10.296 [AS 16.-
22 10.270 - 16.10.296], unless the context otherwise requires,

23 (1) "commissioner" means the commissioner of labor;

24 (2) "fish" means any species of aquatic fin fish, inverte-
25 brates and amphibians, shellfish, or any other raw fishery resource, in
26 any stage of its life cycle, found in or introduced into the state;

27 (3) "fish processor" means a person engaging or attempting to
28 engage in a business for which a license is required under AS 43.75.00
29 43.75.090;

1 (4) "primary fish buyer" means a person, other than a co-
2 operative corporation organized under AS 10.15, engaging or attempting
3 to engage in the business of originally purchasing or buying any raw
4 fishery resource in intrastate, interstate, or foreign commerce.

5 * Sec. 4. AS 16.43.360(a) is amended to read:

6 (a) A person who violates or assists in the violation of a provi-
7 sion of this chapter or a regulation promulgated under this chapter is,
8 upon conviction, guilty of a misdemeanor and is punishable by a fine of
9 not more than \$5,000 for a first conviction, and a fine of not more than
10 \$10,000 for a second or third conviction. Upon a third conviction, the
11 person shall forfeit all interim-use and entry permits held by him and
12 loses eligibility for future issuance or transfer of interim-use or
13 entry permits for a period of three years. Upon a first or second
14 conviction under this section, the court may in its discretion order a
15 forfeiture of interim-use or entry permits held by him as well as a loss
16 of eligibility for future issuance or transfer of interim-use or entry
17 permits or order a suspension of fishing rights under interim-use or
18 entry permits held or to be held by him for a period of not more than
19 three years. This subsection does not apply to violations of AS 16.43.-
20 140(a).

21 * Sec. 5. AS 16.43.360 is amended by adding a new subsection to read:

22 (f) A person who violates the provisions of AS 16.43.140(a), upon
23 conviction, shall forfeit the value of the fish caught by the person in
24 the course of the violation. In addition, the person is subject to the
25 following penalties:

26 (1) a fine of not less than \$1,000 or more than \$5,000 upon
27 the first conviction;

28 (2) a fine of not less than \$5,000 or more than \$10,000 and
29 loss of all fishing privileges in the state, including subsistence,

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sport and commercial fishing privileges, for two years after the date of conviction upon the second conviction;

(3) forfeiture of the vessel and gear used in the violation and imprisonment for a period of not less than three months or more than one year upon each conviction after the second.

HB

665

(9)

COMMITTEE REPORT

HOUSE

7/4/80

FURTHER:

Date: 9/9/80

Mr. Speaker:

The Committee on RESOURCES has had HB 675

"An Act relating to late applications for limited entry permits; and providing for an effective date."

under consideration and (a majority of the committee) (the committee) reports it back with the following recommendations:

- do pass do not pass
- do pass with attached amendments(s)
- replace with CS for _____ same title
 new title
- and recommends _____
- AND attaches a "Letter of Intent" New Fiscal Note
- reports it back without recommendation
- referred to the _____ Committee

**MEMBERS SIGNING
DO PASS**

[Signature]

**MEMBERS HAVING
OTHER RECOMMENDATIONS:**

[Signature] N. 2155

CHAIRMAN

AGU 125395

<

Teleconference 3/3/80

Hearing 4/24/80

Reported Out 4/29/80





Alaska State Legislature
House

HOUSE RESOURCES COMMITTEE

FISH & GAME ISSUES

Alvin Osterback, Chairman

Pouch V, State Capitol
Juneau, Alaska 99811
(907) 465-3715

HEARING NOTIFICATIONS

Re: Late Applications for Limited Entry Permits

BILL	DATE INFORMED	LETTER/PHONE	INFORMED	HEARING DATE
HB 665	4/21		Rep. Nels Anderson, Sponsor Commercial Fisheries Entry (Requested new fiscal note) Commission Dept. of Fish & Game United Fishermen of Alaska Alaska Legal Services - Dillingham Rural Caps - Dave Katzig	4/24



Alaska State Legislature

House

HOUSE RESOURCES COMMITTEE

FISH & GAME ISSUES
 Alvin Osterback, Chairman

Pouch V, State Capitol
 Juneau, Alaska 99211
 (907) 465-3715

HEARING NOTIFICATIONS

TELECON.

BILL	DATE INFORMED	LETTER/PHONE	INFORMED	HEARING DATE
Teleconference on HB 665	2/27	465-4100	Fish & Game Dept. - Mary Jablonski	3/3
SS HB 630	2/27	586-3456	Commercial Fisheries Entry Commission Bob Simon, Commissioner John Williams, Commissioner	3/3
HB 630	2/25		Public Service announcements to all teleconference sites: Anchorage, Barrow, Bethel, Tillingham Fairbanks, Juneau, Kenai, Ketchikan, Kodiak, Kotzebue, Nome, Sitka	3/3
	2/28	586-2820	United Fishermen of Alaska	
	2/29	586-3340	Pam Finley, Atty.	
	2/29	586-3456	Requested fiscal note from Commercial Fisheries Entry Co for HB665	
	2/29	4322	Requested fiscal note on SS HB 630 - Public Safety	
	2/29	2700	Labor Dept.	
	3/3	235-8184	C. Michael Hough, Homer - notified at request of Rep. Pat O'Con.	

This version reported out of Resources 4/29/80

Introduced: 2/4/80
Referred: Resources

1 IN THE HOUSE

BY ANDERSON

CS HOUSE BILL NO. 665

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 ELEVENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to late applications for limited entry
7 permits; and providing for an effective date."

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

9 * Section 1. FINDINGS. The legislature finds that

10 (1) many persons who were otherwise qualified for limited entry
11 permits have not received permits solely because of their failure to submit
12 an application to the Alaska Commercial Fisheries Entry Commission before the
13 closing date for applications set by the commission in accordance with AS 16.
14 43.260(b);

15 (2) in order to prevent economic distress among fishermen and
16 their dependents, to regulate entry into the commercial fisheries without
17 unjust discrimination, and to ensure that permits are awarded on the basis of
18 hardship, as defined in AS 16.43.250, it is necessary to ensure that persons
19 eligible for permits are not denied permits solely because of a failure to
20 apply in a timely fashion.

21 * Sec. 2. APPLICATIONS FOR LIMITED ENTRY PERMITS. Notwithstanding the
22 provisions of AS 16.43.260 relating to closing dates for application periods,
23 the Alaska Commercial Fisheries Entry Commission shall accept applications
24 for limited entry permits, for those fisheries for which the application
25 periods have closed, from all persons who meet the eligibility requirements
26 of AS 16.43.260(a) but who failed to apply for limited entry permits for the
27 fisheries within the time period established by the Alaska Commercial Fish-
28 eries Entry Commission for the fisheries. Persons who have previously sub-
29 mitted applications to the Alaska Commercial Fisheries Entry Commission after

1 the closing dates of the application period for the fisheries, but before the
2 effective date of this Act shall be considered to have applied under this
3 section. The Alaska Commercial Fisheries Entry Commission shall process
4 applications received under this section as if they had been submitted during
5 the application period set by the commission, except that the commission
6 shall afford an additional reasonable period of time for the submission of
7 supporting evidence. The application period established in this section
8 shall open on the effective date of this Act and shall close on December 31,
9 1980. *Commercial Fisheries Entry Commission shall substantially complete the processing of
timely applications before the implementation of this act.*

10 * Sec. 3. The Alaska Commercial Fisheries Entry Commission shall process
11 applications received under sec. 2. of this Act in accordance with regula-
12 tions applicable to the fishery into which entry is sought except as other-
13 wise provided in sec. 2 of this Act. The Alaska Commercial Fisheries Entry
14 Commission shall issue permits to persons applying under this Act who demon-
15 strate hardship equal to that shown by persons previously issued permits, *except that no
permits shall
be issued to
persons who
would suffer
minor
economic hardship
from exclusion
under
AS 16.43.
250 (c).*
16 The Alaska Commercial Fisheries Entry Commission may issue permits in excess
17 of the maximum number of permits established for a fishery under AS 16.43.-
18 230 - 16.43.240 for the purposes of this section. This section does not
19 authorize the Alaska Commercial Fisheries Entry Commission to revoke a permit
20 previously issued.

21 * Sec. 4. This Act takes effect immediately in accordance with AS 01.10.-
22 070(c).

MEMORANDUM


State of Alaska

TO Robert J. Simon
 Chairman
 Commercial Fisheries Entry
 Commission

DATE: March 6, 1980

FILE NO

TELEPHONE NO

FROM: Derrill L. Johnson 
 Director of Administration
 Commercial Fisheries Entry
 Commission

SUBJECT: Financial Analysis of
 HB-665 - Late Application
 Bill

You asked that I prepare a preliminary estimate of the incremental costs should HB 665 be enacted. I utilized the following assumptions: (1) we will receive 5,000 handtroll applications in FY 81; (2) the late application period will generate 5,000 additional applications; (3) the 600 case backlog in adjudications is to be completed prior to awarding permits under the new application period; and (4) the Commission's intent is to finalize the processing of the new applications in two years. There is no provision for application assistance or other type of professional services added to this estimate.

You have noted that HB 665 does not have a Finance Committee referral at present. Additionally, there seems to be at least some question as to whether the bill will be amended in a manner which will affect the fiscal impact. Hence, I hope this memorandum suffices until a formal fiscal note is required. Because of the short time allowed to complete this estimate, I believe there could be a 5% change in the final figure of 1,154.7 even if the bill is not amended.

<u>Category</u>	<u>Backlog</u>	<u>Late Applications</u>	<u>Total Projection</u>
PERSONAL SERVICES			
1. Hearing Officer (20A) @ 3039/mo.	145,872 (4)	145,872 (4)	291,744 (8)
2. Legal Assistant (10A) @ 1564/ mo.	37,536 (2)	37,536 (2)	75,072 (4)
3. App. Tech. (13A) @ 1870/mo.	22,440 (1)	89,760 (4)	112,200 (5)
4. Sec. I (10A) @ 1564	37,536 (2)	37,536 (2)	75,072 (4)
5. Clerk Typist III (8A) @ 1393/mo.	16,716 (1)	--	16,716 (1)
6. Programmer III (18A) @ 2640/mo.	--	31,680 (1)	31,680 (1)
	260,100	342,384	602,484
Benefits 30%	78,030	102,715	180,745
	<u>338,130</u>	<u>445,099</u>	<u>783,229</u>

TOTAL:

783.3

Robert J. Simon

(2)

March 6, 1980

<u>Category</u>	<u>Backlog</u>	<u>Late Applications</u>	<u>Total Projection</u>
TRAVEL			
To hold adjudication and oral hearings with fishermen regarding their pending applications.	5,000	40,000	45,000
		TOTAL:	45.0
CONTRACTUAL			
310-Phone Charges/Long Distance			
Installation of new system	3,600	4,060	7,660
Postage	6,000	10,000	10,000
		19,000	25,000
320-Forms, Cards, Apps. ADF&G Plates			
Central Duplicating			5,000
Advertising			2,000
			5,000
			30,000
330-Space Leasing @ 110 sq.ft./person, storage and file space.			
1200 sq.ft. @ 1.60/ft. for Backlog	19,200		19,200
2800 sq.ft. @ 1.60/ft. for Late Applications		41,800	44,800
360-General Leasing			
Xerox		6,000	6,000
Data Processing Services		28,536	28,536
4 terminals--1 @ 300/mo. terminal + controller;	300		
3 @ 120/mo.-terminal only	360		
2 modems @ 40/mo.	80		
1 4-wire line @ 80/mo.	80		
Transaction processing 228/terminal/mo.	912		
Network charges 124/terminal/mo.	496		
Disk storage \$3.58/meg-40 megs. 143.20/mo.	150		
	<u>2,378/mo.</u>		
	28,536		
	Sub-Total for Contractual Services:		183,196

Robert J. Simon

(3)

March 6, 1980

<u>Category</u>	<u>Backlog</u>	<u>Late Applications</u>	<u>Total Projection</u>
360-(cont'd) - balance carried forward			183,196
Maintenance			
Pitney Bowes Postage Machine			
Data Processing and Xerox			
Miscellaneous Maintenance		4,584	4,584
390-Staff Development:	2,500	2,500	5,000
Training in Administrative law and procedures, secretarial training and records management instruction and investigative procedures in accordance with the Administrative Procedures Act.			
			TOTAL: 192,780
COMMODITIES	4,000	9,000	13,000
General office supplies, paper, ribbons, card stock, envelopes, letterhead, etc.			
			TOTAL: 13.0
EQUIPMENT			
Purchase one 4-station Lexitron Work Processing Center:			
Units 2 Model 1303 @ 14,570/ea. - 29,140			
Units 1 Model 1303E @ 10,951/ea. - 10,951			
Units 1 Model 1202E @ 9,351/ea. - 9,351			
to support the correspondence generated by 8 Attorneys, 4 Investigators/Legal Assistants, 5 Application Techs. and 1 Programmer			
			49,442

<u>Category</u>	<u>Backlog</u>	<u>Late Applications</u>	<u>Total Projection</u>
EQUIPMENT (cont'd) - balance carried forward			49,442
Maintenance and Setup Charges to be allocated equally to both Backlog and Late Applications			10,173
Office Setup:			
Executive Desks @ 472.00 (18)	3,304	5,192	8,496
Desk Chairs @ 450.00 (18)	3,150	4,950	8,100
Coat Racks @ 48.00 (14)	336	336	672
File Cabinets-			
4-Drawer LL @ 307.00 (8)	1,228	1,228	2,456
4-Drawer SL @ 272.00 (6)	272	1,360	1,632
2-Drawer LL @ 221.00 (4)	442	442	884
2-Drawer SL @ 198.50 (9)	594	1,182	1,776
5-Drawer Lt.L @ 752.00 (6)	--	4,512	4,512
Bookcase-			
3 Shelves @ 168.00 (18)	1,512	1,512	3,024
Conf. Rm. Table @ 1058.00 (1)	--	1,058	1,058
Working Table @ 95.00 (8)	380	380	760
4-Tier Out-			
baskets @ 17.00 (23)	170	221	391
Wastebaskets @ 20.00 (23)	200	260	460
Pentaflex Frms (Legal) @ 8.00 (64)	256	256	512
Pentaflex Frms. @ 6.00 (102)	228	314	612
Tape Recorders-			
(Portable) @ 296.00 (8)	1,184	1,184	2,368
Sec. Desk @ 662.00 (5)	1,986	1,324	3,310
Chair @ 346.00 (5)	1,038	692	1,730
Typing Stand @ 166.00 (11)	664	1,162	1,826
Transcriber* @ 537.00 (4)	1,074	1,074	2,148
Dictation* @ 537.00 (11)	2,685	3,222	5,907
*Dictaphone 2500 Model			
Typewriter-Correcting			
Selectric @ 1000.00 (8)	4,000	4,000	8,000
Calculators @ 150.00 (2)	150	150	300
	<u>24,853</u>	<u>36,081</u>	

TOTAL: 120,549 120.6

GRAND TOTAL: 1,154.7

Support
HB665

TELEGRAM

'80 APR 28 PM 10 33

TO: THE DIRECTOR, FBI
FROM: SAC, NEW YORK (100-123456)
SUBJECT: [REDACTED]

URGENT

RE: [REDACTED] (NY 100-123456) (P)
[REDACTED]

NY 100-123456 (P)

LAB4 1510 11.10 JAG1 0038 11.11 04/29/80

TO JUNEAU
FROM DILLINGHAM

PLEASE RELAY THE MESSAGES BELOW TO REPRESENTATIVE ALVIN OSTERBACK AND THE
OTHER MEMBERS OF THE HOUSE RESOURCES COMMITTEE

#####

TO REP. ALVIN OSTERBACK, CHAIRMAN, HOUSE RESOURCES COMMITTEE AND ALL OTHER
COMMITTEE MEMBERS
FROM: EILEEN CHUCKWUK LEWIS, BOX 46, ALEKNAGIK, ALASKA

PLEASE PASS HB665. I AM IN SUPPORT OF HB665 AND HOPE THAT IT BECOMES LAW.

#####

TO REP. ALVIN OSTERBACK, CHAIRMAN, HOUSE RESOURCES COMMITTEE AND ALL OTHER
COMMITTEE MEMBERS

FROM: HARRY AND DAISY BARNES, P. O. BOX 111, DILLINGHAM, ALASKA
RONNIE, ANDREW, AND HARRY BARNES, P. O. BOX 111, DILLINGHAM, ALASKA 99577

I WOULD LIKE YOU TO PASS HB665. WE ARE IN FULL SUPPORT OF THIS BILL BECAUSE IT
WOULD RE-OPEN THE APPLICATION FOR LATE FILERS. THANK YOU FOR YOUR
CONSIDERATION.

#####

LAB4 1929 12.10 JAG1 0044 12.10 04/29/80

TO JUNEAU FROM DILLINGHAM

PLEASE RELAY THE MESSAGE BELOW TO REPRESENTATIVE ALVIN OSTERBACK, CHAIRMAN,
HOUSE RESOURCES COMMITTEE AND ALL OTHER MEMBERS OF THE COMMITTEE WITH A
COPY TO REPRESENTATIVE NELS ANDERSON.

#####

I SUPPORT HB665, THE LATE FILER'S BILL. I HOPE THIS PASSES THE LEGISLATURE
TO BECOME LAW THIS SESSION. PLEASE SUPPORT THIS BILL.

FROM: TARIANA MCCORMICK, BOX 157, DILLINGHAM, ALASKA 99576

#####

LAB4 1651 11.27 JAO1 0040 11.27 04/29/80

TO JUNEAU
FROM DILLINGHAM

PLEASE RELAY THE MESSAGES BELOW TO:

REP. ALVIN OSTERBACK, CHAIRMAN, HOUSE RESOURCES COMMITTEE AND ALL
MEMBERS OF HOUSE RESOURCES

FROM: NINA HANSEN NICHOLSON, AND HERBERT NICHOLSON, BOX 177, DILLINGHAM
ALASKA 9957

PLEASE PASS HB665 FROM YOUR COMMITTEE TODAY. WE URGE YOUR SUPPORT OF
THIS BILL. WE ARE IN FULL SUPPORT OF THIS BILL AND WOULD LIKE TO SEE THIS
BILL BECOME LAW THIS LEGISLATIVE SESSION. THANK YOU FOR YOUR CONSIDERATION.

LA32 1975 12.22 JAO1 0049 12.22 04/29/80

TO REP. AL OSTERBACK, SENATOR HOKMAN, REP. PHIL GUY
FROM CARL BERRY
PO BOX 962
BETHEL, ALASKA 99559 543-3301

3

I AM IN SUPPORT OF HB 665 FOR THE FOLLOWING REASON. I DID APPLY
FOR MY LIMITED ENTRY PERMIT ON TIME BUT FAILED TO LET THE COMMISSION
KNOW THAT I WAS DOWN SOUTH IN SCHOOL DURING ONE YEAR OF THE EFFECTED
YEARS. IF THIS BILL PASSES, I AM SURE MY CASE COULD BE REVIEWED
AGAIN AND A LIMITED ENTRY PERMIT ISSUED TO ME. PLEASE SUPPORT HB
665 AND HELP ALL FISHERMAN IN ALASKA.

THANK YOU

#####

TO REPRESENTATIVE ALVIN OSTERBACK AND OTHER MEMBERS OF THE HOUSE
RESOURCES COMMITTEE.

FROM CLEA AND MIKE SAM, CHIGNIK LAGOON, ALASKA 99565

I AM IN SUPPORT OF HB365 ON OPENING THE LIMITED ENTRY APPLICATION.
I HOPE THIS WILL PASS THROUGH THE LEGISLATURE.

#####

TO JUNEAU
FROM DILLINGHAM

#####

PLEASE RELAY THE MESSAGE BELOW TO REPRESENTATIVE ALVIN OSTERBACK,
CHAIRMAN HOUSE RESOURCES COMMITTEE AND ALL HOUSE RESOURCES COMMITTEE
MEMBERS

ALSO: SENATOR GEORGE HOKMAN, REPRESENTATIVE NELS ANDERSON, SENATOR
CLEM TILLION

FROM: GEORGE CHUCKWUK, BOX 46, ALEKNAGIK, ALASKA

PLEASE PASS HOAGE, AN ACT PERTAINING TO LATE FILERS THAT YOU HAVE IN
YOUR COMMITTEE. I SUPPORT THIS BILL AND WOULD LIKE TO SEE IT PASSED
THIS LEGISLATIVE SESSION. THANK YOU.

#####

LAB4 3593 16.16 JAD1 0128 16.16 04/28/00

TO: REPRESENTATIVE ALVIN OSTERBACK AND ALL MEMBERS OF THE HOUSE
RESOURCES COMMITTEE

FROM: OLGA SAM AND MIKE SAM, CHIGNIK LAGOON, ALASKA 99565

I AM IN SUPPORT OF HB 665, ON REOPENING THE LIMITED ENTRY APPLICATION.
I HOPE THIS BILL WILL PASS THROUGH THE LEGISLATURE.

6

TO JUNEAU FROM DILLINGHAM

PLEASE RELAY THE MESSAGES BELOW TO REP. ALVIN OSTERBACK AND THE OTHER MEMBERS OF THE HOUSE RESOURCES COMMITTEE. WITH COPIES TO REP. NELS ANDERSON, SEN. GEORGE HOHMAN, SEN. BOB MULCANY, SEN. CLEM TILLION AND SENATOR JOHN SACKETT.

#####

TO REP. ALVIN OSTERBACK AND ALL MEMBERS OF THE HOUSE RESOURCES COMMITTEE FROM: ELIA PHILLIPS, PERRYVILLE, ALASKA

I SUPPORT HB 665, THE LATE FILER'S BILLS AND URGE PASSAGE.

#####

TO REP. ALVIN OSTERBACK AND ALL MEMBERS OF THE HOUSE RESOURCES COMMITTEE FROM: BOBBY ANDREW, BOX 99, DILLINGHAM, ALASKA 99576

I'M IN SUPPORT OF HB665 TO RE-OPEN APPLICATION TIME TO THOSE WHO WERE LATE. HAVING FISHED THE BRISTOL BAY REGION AND A RESIDENT I HOPE THIS BILL WILL HELP SOME OF US WHO FISHED IN PRIOR YEARS TO QUALIFY FOR A PERMIT THIS TIME.

I STRONGLY URGE YOUR SUPPORT AND PASSAGE OF THIS BILL THIS LEGISLATIVE SESSION.

#####

TO REP. ALVIN OSTERBACK, CHAIRMAN OF HOUSE RESOURCES, AND ALL COMMITTEE MEMBERS FROM: WASSILLIE TIMURPHY, BOX 63, S. STUYAHOK, ALASKA 99576

I HOPE YOU PASS HB665 SO THAT IT BECOMES LAW. PLEASE PASS THIS BILL SO THAT THE ONLY WHO NEED IT WILL BE ABLE TO GET LIMITED ENTRY PERMITS.

#####

TO REPRESENTATIVE ALVIN OSTERBACK, CHAIRMAN, HOUSE RESOURCES COMMITTEE AND ALL MEMBERS OF THE HOUSE RESOURCES COMMITTEE

FROM: ANNIE KAWAOLIA AND WASSILLIE KAWAOLIA, BOX 16, DILLINGHAM, AK 99576

I WOULD LIKE YOU AND YOUR COMMITTEE TO PASS HB665, THE LATE FILER'S ACT THAT IS IN YOUR COMMITTEE. PLEASE PASS THIS BILL. THANK YOU.

#####

TO REP. ALVIN OSTERBACK, CHAIRMAN, HOUSE RESOURCES AND ALL COMMITTEE MEMBERS

FROM: LILLIAN A. HINDS, BOX 82, DILLINGHAM, ALASKA 99576

PLEASE PASS HB665, THE LATE FILER'S BILL THAT IS IN YOUR COMMITTEE. I SUPPORT THIS BILL AND HOPE THAT IT WILL BECOME LAW.

#####

LA34 0005 09.41 JAD1 0014 09.41 04/27/80

b

TO JUNEAU FROM DILLINGHAM

PLEASE RELAY THE MESSAGES BELOW TO REP. ALVIN OSTERBACK, CHAIRMAN HOUSE RESOURCES COMMITTEE AND ALL COMMITTEE MEMBERS, WITH COPIES TO REP. NELS ANDERSON, SENATOR GEORGE MOHMAN, SENATOR CLEM TJLLION, SENATOR BOB MULCAHY, AND SENATOR JOHN SACKETT

TO REP. ALVIN OSTERBACK AND ALL MEMBERS OF THE HOUSE RESOURCES COMMITTEE FROM: WILLIAM AND MARY ANN JOHNSON, DILLINGHAM, ALASKA 99576

WE URGE YOUR PASSAGE OF HB665, THE LATE FILER'S APPLICATION BILL THAT IS BEFORE YOUR COMMITTEE. WE ARE IN SUPPORT OF HB665.

TO REP. ALVIN OSTERBACK AND ALL MEMBERS OF THE HOUSE RESOURCES COMMITTEE FROM: DORIS R. LARSON, BOX 83, DILLINGHAM, ALASKA 99576

PLEASE SUPPORT PASSAGE OF HB665 THAT IS IN YOUR COMMITTEE AND AWAITING ACTION. I FULLY SUPPORT HB665 AND HOPE THAT IT BECOMES LAW.

TO REP. ALVIN OSTERBACK AND ALL MEMBERS OF THE HOUSE RESOURCES COMMITTEE FROM: BERNICE L. HEYANO, DILLINGHAM, ALASKA 99576

I SUPPORT HB665, THE LATE FILER'S BILL. I HOPE THAT YOU AND ALL THE COMMITTEE MEMBERS WILL VOTE FOR PASSAGE OF THIS VERY IMPORTANT BILL.

TO REP. ALVIN OSTERBACK AND ALL MEMBERS OF THE HOUSE RESOURCES COMMITTEE FROM: WILLIAM A. JOHNSON, DILLINGHAM, ALASKA 99576

I SUPPORT THE LATE FILER'S BILL, HB665. I URGE YOUR PASSAGE OF THE BILL BEFORE YOU IN COMMITTEE AND HOPE THAT IT BECOMES LAW THIS LEGISLATURE.

John W. Yabluk
S.W. Delivery
Etowah, Ak.

99580

Alvin Osterback
House Resources Committee
Juneau, Alaska
99511

Dear Mr Osterback,

I am writing to
you concerning HB 665, Late
Applications for Limited Entry
Permits.

My father Simon Yabluk
and brother Stephen were
both eligible to apply for
permits. My brother Stephen
was in jail at the time of
application. My father was a
Yupik speaking Eskimo, who
spoke little English and didn't
know about the application
process. My father still owned
his boat and gear at the
time and my brother had
gear licenses. I have fish
most of my life with a
number of boats and other
gear. I don't recall a permit
being in service to me
during the application period.

My brother died in 1975 and my
father in 1977. Since I am the
only living male in the Yukluk
family, I think it should be
allowed to apply for a permit
and carry on with the only
livelihood I have ever known;
fishing.

When you vote on H.B. 665
please consider my situation.

Respectfully,
John A. Galt

John A. Galt

John A. Galt

John A. Galt

April 23/80

Alvin Osterback
House Resources Committee
Pouch V
Juneau, Alaska 99811

Re: H.B. 665 - Late Applications
for Limited Entry Permits

Dear Sir:

I wish very much to be able
to apply for a limited Entry
Permit.

It was my life time occupation
since I was a young man for
only 3 months out of a year. Some
times less than 3 months.

Thank you,
Sincerely yours,
John Moore

P.S. Sometimes I need some monies
to get by the winter seasons.

HB 665

Alexander Creek

4-24-80

Alvin Osterback
House Resource Com.

Dear Sir:

For five years I fished on the "West" side of Kovichak Bay, Bristol Bay. Fish returns were then, from '68 thru '72, very poor & fishing time greatly restricted. It was a poor living. Then came "limited entry". I had few funds then for any purpose & didn't realize by not applying that I would lose my chance to apply.

I still have my beach site & my old 7-member (2337) but have had to fish part time for someone else

because I have no entry permit:

I want to make a living for myself & feel I can grow, that management has improved our in-shore fish run. To do this I need to have my "entry permit".

Please support House Bill # 665.

Sincerely

Harro Thiel
Alexander Creek.
A.K. 99695

HB665

Carl Chie

Alexander Creek
April 27, 1980

House of Representatives
State of Alaska

Alvin Osterback

Am writing you in regard to reopening
the application period for fishing
permits in Bristol Bay.

We fished the Bay beginning in
1948 thru 1972, full years, then in 1965,
1966, 1967, 1968, 1969, 1970 and 1972.

I held both drift and seinet licenses
and fished both alternately, in the years
1967 thru 1972 with 1971 being the
only year when I did not do any
drift netting.

I did not apply for a drift permit
for two reasons, first, I thought I
could make a living every year on the
beach seining, and didn't want to
afford the \$200 for the drift permit.

Since 1973 we've had a severely
curtailed season on the Kvichak
section every year since then.

except for 1979 when we were
allowed to fish the entire season
Even 1975 when we expected, and
had, a good run we weren't allowed
an opening on the Kuchok section
until the 6th of July, when the run
was at least half over. For the above
reasons I would like a chance to re-
apply for a drift gillnet permit so
I can continue to fish while the
Kuchok section is closed for some
reasons.

I thank you for proposing to
reopen the application period for
gillnet fishing permits in
Bristol Bay.

Respectfully,
Carl True
Alexander Creek
Alaska 99675

#####

PLEASE RELAY THE MESSAGES BELOW TO: REPRESENTATIVE ALVIN OSTERBACK,
CHAIRMAN OF THE HOUSE RESOURCES COMMITTEE AND ALL MEMBERS OF HOUSE
RESOURCES COMMITTEE

ALSO: REPRESENTATIVE NELS A. ANDERSON, JR., SENATOR GEORGE HOKMAN,
SENATOR CLEM TILLION, SENATOR BILL SUMNER, SENATORY BOB MULCAHY, AND
SENATOR JOHN SACKETT.

FROM: ARTHUR SHARP, CHRISTOPHER SHARP, HARRY MOORE, RAYMOND MOORE, AND
LOUIE SMALL, ALL FROM TWIN HILLS, ALASKA

MESSAGE: WE ARE IN SUPPORT OF HB665, THE LATE FILERS BILL THAT WAS INTRO-
DUCED BY REP. ANDERSON. THIS BILL WHICH WILL BE IN THE HOUSE RESOURCES
COMMITTEE TOMORROW IS ONE THAT WOULD HAVE A VERY GOOD EFFECT ON US IF IT
IS PASSED. THERE ARE SOME PEOPLE WHO WOULD BE ABLE TO OBTAIN A LIMITED
ENTRY PERMIT UNDER THIS BILL WHO ARE DEPENDENT UPON FISHING AS THEIR MAIN
SOURCE OF INCOME. WE HOPE THAT YOU WILL PASS THIS BILL.

#####

FROM: WALTER KUKU, SASSA KUKU, NICK SHARP, DORA NICHOLAI, AND JOHN SHAPP
TWIN HILLS, ALASKA

WE ARE IN FAVOR OF HB665, THE LATE FILERS BILL THAT IS BEFORE YOU IN
COMMITTEE. PLEASE VOTE IN FAVOR OF PASSING THIS BILL. THANK YOU.

#####

FROM: GEORGE PLEASANT, DANIEL SHARP, JOHN MARK, STELLA SHARP, AND WALTER
BOVILLA, ALL FROM TWIN HILLS, ALASKA

PLEASE VOTE FOR PASSING HB665 TO OPEN UP LIMITED ENTRY TO LATE FILERS.
THIS WOULD BE A GOOD THING FOR THOSE WHO CANNOT GET PERMITS BECAUSE THEY
WERE LATE IN FILING FOR PERMITS BEFORE.

#####

L

PLEASE RELAY THE MESSAGE BELOW TO:
REPRESENTATIVE ALVIN OSTERBACK, CHAIRMAN, HOUSE RESOURCES COMMITTEE AND
ALL MEMBERS OF THE HOUSE RESOURCES COMMITTEE

ALSO: REPRESENTATIVE NELS A. ANDERSON, JR., SENATOR GEORGE HOFFMAN,
SENATOR CLEM TILLION, SENATOR BILL SUMNER, SENATOR BOB MURPHY AND SENATOR
JOHN SACKETT

FROM: FERDINAND SHARP, NANCY SHARP, KATIE MOORE, GEORGE KUKU, ANDREW MOORE,
AND MARY KUKU, ALL FROM TWIN HILLS, ALASKA

WE URGE YOU TO VOTE FOR PASSING HB 665, THE ACT FOR LATE FILERS TO APPLY
FOR LIMITED ENTRY PERMITS. PLEASE PASS THIS VERY IMPORTANT BILL.

#####

FROM: TERESA MARK, SAM FULLMOON, NETTIE FULLMOON, TWIN HILLS, ALASKA

WE HOPE YOU WILL PASS THE BILL FOR LATE FILERS FROM YOUR COMMITTEE. WE
REALLY HOPE THAT HB665 WILL PASS FOR THE BENEFIT OF THOSE WHO DID NOT GET
THEIR LIMITED ENTRY PERMITS THE FIRST TIME AROUND, BECAUSE FOR SOME REASON
OR ANOTHER THEY WERE LATE. THANK YOU SO MUCH.

#####

3
LA32 2873 14.50 JA01 0096 14.50 04/28/00

TO REP. AL OSTERBACK, SENATOR HOHMAN, REP. PHIL GUY

FROM SAMUEL SNYDER

PO BOX 05

BETHEL, ALASKA 99559

I SUPPORT HB 665 AND DO HOPE YOU DO TOO.

THANK YOU. ^

LA32 1707 11.35 JA01 0036 11.35 04/29/80

TO JUNEAU INFORMATION FOR REP. AL OSTERBACK
FROM BETHEL INFORMATION FOR PHILLIP ALEXIE
BETHEL, ALASKA

RE: HOUSE BILL 665 - LATE APPLICATION BILL

I FISHED IN BRISTOL BAY FOR ALASKA PACKERS FOR 12 YEARS. I OWNED MY OWN BOAT AND GEAR. I QUIT FISHING AFTER THE 1972 FISHING SEASON. A LAWYER HERE IN BETHEL TELLS ME THAT IF I HAD APPLIED FOR A BRISTOL BAY LIMITED ENTRY PERMIT, I WOULD HAVE RECEIVED IT. SINCE I WAS IN JAIL DURING THE APPLICATION PERIOD, I COULD NOT FILL OUT AN APPLICATION. PLEASE MAKE HOUSE BILL 665 LAW, SO THAT I CAN GET A BRISTOL BAY FISHING PERMIT.

THANK YOU. \

LA32 2011 12.20 JAC1 0053 12.20 04/28/80

3

TO JUNEAU INFORMATION FOR REP. AL OSTERBACK, SENATOR HOHMAN, REP. PHILLIP
GUY

FROM BETHEL INFORMATION FOR GABRIEL ASICKSIK
PO BOX 34
BETHEL, ALASKA 99559 543-3591

RE: HOUSE BILL 665 - LATE APPLICATION BILL

I SUPPORT, AND HOPE YOU DO, THE LATE APPLICATION BILL FOR LIMITED ENTRY.
TO GIVE YOU MY CASE, I DID RECEIVE A LIMITED ENTRY PERMIT IN 1975 THEN IN
1976, WAS UNABLE TO FISH DUE TO VERY BAD HANDS, THEN IN 1977, WENT TO
RENEW MY PERMIT AND WAS TURNED DOWN. I HAD SENT THE COMMISSION MY MONEY
AND IT WAS RETURNED TO ME THAT SAME YEAR. I DO HOPE I WILL BE ABLE TO
GET MY LIMITED ENTRY PERMIT BACK AND WILL BE WILLING TO PAY FOR ALL THE
BACK RENEWAL YEARS THAT WOULD BE OWED ON IT.

THANK YOU AND FEEL FREE TO WRITE ME REGARDING THIS PROBLEM.

Cathlamet, WA 98612

February 15, 1980

Alaska State Legislature
House Resources
Juneau, Alaska 99811

Re: H.B. 665

Honorable Gentlemen:

I applied for a permit to fish in Alaska in 1977 and was denied and given 30 days to appeal in Superior Court, which I did and lost. I appealed to the Supreme Court, but on the basis of the Apokedak decision my attorneys deem it futile to proceed. They did, however, tell me about H.B. 665. I encourage you to pass it.

In my case I did not receive a notice of the Permit System.

I fished in Alaska from 1929 to 1942 when I was frozen on a job in a shipyard. In 1953 I went back and fished through 1970 when I came down with double lobar pneumonia and emphysema and was in and out of hospitals for the next four years. In 1976 I felt well enough to go fishing but was told it was closed. So in 1977 when it was opened for those who did not have enough points to qualify in 1974 and 1975 I decided to apply since I had more than the required amount of points. I was denied because I had not fished in 1974 and 1975. It was at this time I was given 30 days to appeal to the Superior Court.

In the case of the Treaty Indians vs. Washington State, the Federal Government sent out officials who served injunctions on each and every fisherman that held a license and I think that the Entry Commission could at least have sent notices by registered mail.

I hope you can find a way to solve some of the inequities involved as to the natives, residents, and non-residents that shall we say-"missed the boat".

May the legislature give every effort to pass H.B. 665.

Respectfully yours,

Britanus K. Vik
Britanus K. Vik

LAW OFFICES OF
ALASKA LEGAL SERVICES CORPORATION
P. O. BOX 181
DILLINGHAM, ALASKA 99576
TELEPHONE 842-5653

February 22, 1980

HB665

Alvin Osterback, Co-chairman
House Resources Committee
Alaska State Legislature
Pouch V
Juneau, Alaska 99811

Re: House Bill 665
Limited Entry-Late Applicants

Dear Representative Osterback:

I would like to take this opportunity to discuss the problem addressed by House Bill 665 prior to the tele conference hearing currently scheduled for March 3, 1980. This bill would establish a new application period for those persons who failed to submit an application within the time periods set for their particular fishery.

The reasons for the failure to apply in time are numerous and were by and large outside of the individual person's control. The chief reason was the lack of understanding by persons that there was an application period and that they were in fact eligible to apply. These problems were most prevalent in the rural areas of the state where people were isolated from the communications media and application assistance. Language difficulties posed a particular problem in those areas of the state (Bristol Bay and the Yukon-Kuskokwim area) where English is a second language.

This bill does not make any substantive changes in the Limited Entry Act, and the eligibility and point requirements would remain the same following passage. It would merely allow those persons who were originally eligible for a permit to now apply and receive that for which the law states they are otherwise qualified.

This legislation is important for a number of reasons. First of all, it is obviously very important to the individual person who now cannot pursue his or her chosen occupation. This is particularly poignant in the case of rural Alaskan residents who do not have other employment opportunities available to them. Secondly, it is important to rectify an injustice which resulted from the implementation of a radically new law.

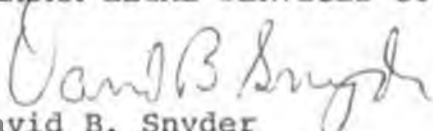
Alvin Osterback, Co-chairman
February 22, 1980
Page Two

Finally, this legislation would not have any appreciable effect on the condition of Alaska's fisheries. It would mean a very small increase in the number of permits in any particular fishery and the majority of these new permits would be issued to Alaskan residents who were least able to comply the application procedure for the reasons mentioned above.

I plan to present further testimony to your committee in Juneau on March 3rd. If you have any specific questions, or have need for further information, please feel free to contact me.

Sincerely,

ALASKA LEGAL SERVICES CORPORATION


David B. Snyder
Supervising Attorney

DBS:ml

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

House Resource Committee Members
Fred Zharoff
P t Carney
Samuel Cotton
Jack Fuller
C.V. Chatterton
Richard Eliason
Richard Halford

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

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

HANIGAN & JOHNSON

Attorneys at Law
Hanigan Building

P. O. BOX 88 TEL. 206-795-3494
CATHLAMET, WASHINGTON 98612

GEORGE F. HANIGAN
FRED A. JOHNSON

February 25, 1980

Alaska State Legislature
House Resources Committee
Juneau, Alaska 99811

Re: HB 665

Gentlemen:

Adoption of House Bill 665 is respectfully urged.

We have referred several people to the Alaska Commercial Fisheries Entry Commission relative to what would have appeared to be great injustices committed by the Commission itself, including situations involving illness or disability.

The prior permit holders were not given notice in some instances, and inadequate notice in other instances. Additionally, our clients have written the Commission and have received no acknowledgment of receipt of the communications, and that has been the experience of this writer personally. When acknowledgment is belatedly made by the Commission, it then flips the coin by stating contact was not timely, totally ignoring earlier communication.

We are all aware that innocent mistakes, oversights, etc., exist. However, the citizenry may well be warranted in its belief relative to the Commission that it has intentionally "pigeon-holed" or "round filed" communications with citizens having business with it.

I am aware of the seriousness of this allegation, as I am myself an elected official, serving as Prosecuting Attorney for this County. I sincerely believe that the State of Alaska has by bureaucratic fiat deprived people of their property rights, accomplished not by reason of the law being incorrect, but rather

Continued Page Two:

February 25, 1980

Page Two

by administrative error, omission, oversight or other excuse to reduce workload.

I trust that these comments will be of assistance to you.

Very sincerely,

A handwritten signature in dark ink, appearing to read 'G. Hanigan', with a large, sweeping flourish extending to the right.

George F. Hanigan

cc: Mr. and Mrs. William Fowler
Pamela L. Finley, Esq.

GFH/pm

LAW OFFICES OF
ALASKA LEGAL SERVICES CORPORATION
P O BOX 181
DILLINGHAM, ALASKA 99576
TELEPHONE 842 5653

MEMORANDUM

TO: House Resources Committee,
Nels A. Anderson, Jr.

FROM: Fred Torris/David Snyder

RE: H.B. 665 - Limited Entry Late Applications

DATE: March 3, 1980

A. The Problem

In 1975, a number of persons failed to file applications for limited entry permits. Most of these persons live in rural Alaska and cannot afford to purchase permits. So despite the fact that they had enough points to qualify for their permits, they cannot obtain them and are consequently forced out of the only occupation available, unless they can find employment crewing for someone else.

This situation was caused by many factors. The Commercial Fisheries Entry Commission provided application assistance which reached many people, but without such assistance those persons not literate in English had no chance of understanding the 8 page application and accompanying 41 page instruction booklet. In the villages of Bristol Bay, many people were not planning to fish because of the poor predictions for 1975 and didn't realize that a failure to apply would forever bar them from fishing. Older persons under the same misconception didn't apply while their daughters and sons applied but failed to qualify --leaving the entire family without permits.

Rural Alaskans were impacted the most by the application process because of their lack of sophistication and their geographical and cultural remoteness from Limited Entry. And those same persons, --who perhaps speak only Yup'ik and don't understand Limited Entry even today--are precisely the ones unable to purchase permits on the (inflated) open market. ¹

¹The continuing problems encountered by rural Alaskans are discussed in Dr. Langdon's report to the Limited Entry Study Group, January 17, 1980, see, e.g., pp 25-26, 49-54, 66-73; see also J. Anthony Koslow's (1980) report for the legislature "Limited Entry Policy and the Bristol Bay Salmon Fishermen,: recommendation #4 at p.22.

B. H.B. 665

House Bill 665 requires the Entry Commission to accept applications for another six months and to issue permits to those persons providing enough points under the regulations already in effect. It is clear that most of these people will be resident Alaskans and no one not eligible in 1975 will be made eligible by this law.

The bill is necessary because the Entry Commission does not think it has the authority to accept applications now and it hasn't accepted any (except for those in which Postal or Commission error was proved) since May 18, 1975. While some fisheries already have the number of permits originally authorized by the Commission, the "optimum number" has not been determined for any fishery and there is no evidence that the acceptance of late applications will adversely impact any of them. It may well be found that improved management techniques and the 200 mile limit have increased the number of returning salmon in Alaskan waters; if not, the Commission should commence with the "buy back" program already authorized by the legislature.

C. Commission Opposition

The Entry Commission on February 25, 1980, released its analysis of HB 665, suggesting that it not be passed or that it be substantially amended. The main thrust of its content was that there were so many persons entitled to permits that didn't get them, that serious effects on the existing program would result if applications were accepted now. The Commission also raises many administrative problems.

It is ironic that the Commission uses the magnitude of its own failure to oppose the attempt to resolve the problem. While no State monies are required to implement HB 665, it might be appropriate to consider a Commission request for funds to hire an additional person or two; it is certainly not appropriate to consider administrative inconvenience to the Commission on the same level as the hardship caused those men and women who failed to obtain the permit to which they were entitled by statute. (In today's market, the administrative cost does not amount to the value of even one entry permit in some fisheries.)

House Resources Committee
H. B. 665-Limited Entry Late Applications
Page Three

The Commission memorandum of last week is too lengthy to answer in detail here; but we ask that none of its conclusions be accepted without further discussion. For example, its methodology in estimating the number of entry permits which would be issued as a result of this bill is flawed by two basic assumptions: (1) that the set of persons who failed to apply have identical (statistically) characteristics of past participation and economic dependence as those who applied in 1975 and (2) that everyone who failed to apply in 1975 would apply in a new application period. Neither assumption is valid and the estimates of new permits made in the report are twice as high as can actually be expected.

We remain available at the above phone number to discuss HB 665 with any interested legislator.

Feb. 26th 1980

R.E. House Bill 665
Limited Entry Late Applicants

Dear Mr. Alvin Osterback

I can't make it to the hearing in
Dillingham March 3rd so I'm writing
to let you know that I would like to
House bill is passed.

I made a late application for
my set net permit and hope to get
it if the bill is passed. Please vote
for the bill

Wick Abaloma Sr.
P.O. Box 58
Egegik, Alaska 99579

LOREN DOMKE
ATTORNEY AT LAW
P.O. BOX 1216
JUNEAU, ALASKA 99802

TELEPHONE (907) 586-1102

March 5, 1980

The Honorable Alvin Osterback
and the Honorable Bill Miles,
Co-Chairmen
House Resources Committee
Pouch V, State Capitol Building
Juneau, Alaska 99811

Re: H.B. 665

Dear Representatives Osterback and Miles:

I have been asked by clients, some of whom are your constituents, to propose an amendment to the late applications bill. My clients are not late applicants, but are fishermen who have submitted timely applications but have not had their qualifications for an entry permit thoroughly reviewed by the Commission. Their problem is that they have not made timely requests for an administrative hearing or have not timely submitted evidence supporting point claims under the regulations. H.B. 665 as it now reads does not apply to such individuals.

For this reason, we would like to see the addition of one change in the bill which would permit their applications to be evaluated in the same manner as those of late applicants. We suggest the inclusion on page 2, line 7 after the word "evidence" of one sentence to read:

"Persons who have previously submitted applications may raise new issues under the regulations and may submit supporting evidence and shall have their applications reviewed in the same manner as individuals who initially failed to apply but meet the eligibility requirements of AS 16.43.260(a)."

This single amendment in the bill would not contribute significantly to the workload of the Commission's applications processing staff and would insure that all fishermen received

a thorough and impartial review of their qualifications for a permanent entry permit. Your consideration of this amendment is greatly appreciated.

Yours very truly,

Loren Domke

Loren Domke

LD:b1d

... I have been ...
... I have been ...
... I have been ...

... I have been ...

... I have been ...
... I have been ...
... I have been ...

... I have been ...

... I have been ...
... I have been ...
... I have been ...

*sent to Harry Hoover
3-18-80*

Information copy

... I have been ...



STATE OF ALASKA
LEGISLATIVE INFORMATION OFFICE

Dillingham

*For your files on
HB 665 - Late Filers Bill*

*We are pleased to send the enclosed material in
response to your recent request.*

Dorothy A. Larson.....

STATE OF ALASKA
THE LEGISLATURE

LEGISLATIVE AFFAIRS AGENCY

Regional Information Office

Pouch 229

Dillingham, Alaska 99576

HB 665

March 4, 1980

Representative Al Osterback,
Chairman, House Resources
House of Representatives
Pouch V
Juneau, Alaska 99811

Dear Representative Osterback:

Enclosed are copies of letters written to Representative Nels Anderson that were read into the record at the public teleconference on HB665 yesterday for your record.

Also enclosed is a copy of a resolution from the Bristol Bay Native Association that they ask that I telecopy you today to include in the record for public testimony on HB665. I have just telecopied this resolution to your office via the Juneau Information Office.

Enclosed is a copy of all the participants in yesterday's public teleconference.

I would like to thank you for taking the time to make sure that all our witnesses were heard from Bristol Bay since many of them were here from villages in the outlying area as far away as Egegik and Nondalton. They expressed their appreciation in being heard, too.

This teleconference was quite fascinating to people who had never participated in one before. It was aired live over the local radio station KDLG which you know reaches down to your neck of the woods as well as most of Bristol Bay.

We had at least 50 people here in my office which comfortably holds 20 people, so you can imagine the crowd.

Sincerely,

Dorothy M. Larson
Dorothy M. Larson

February 26, 1980
Manokotak, Alaska
99628

Gels Anderson, Jr.
House of Representatives
Pouch - 7 Capital
Juneau, Alaska 99811

Dear Representative Anderson:

I would like to testify for support of House Bill 669. I feel it will alleviate some of the unemployment in the Bristol Bay Area.

I have been set netting on Igushik Beach in the Bristol Bay Area for seventeen years. (1963 - 1979) Netting during the summer months has always been my only income and the only work I can do.

I am unable to fish my set net area during the summer months only because my application was filed late.

It has been a hardship not being able to have a limited Entry Permit because my family can't things they most need and also I am now without employment both during the summer and winter. In Manokotak, where I have lived most my life, jobs are not only few.

Sincerely yours,

Anusha Kurogi

Anusha Kurogi

February 26, 1966
Wainwright, Alaska
99682

Walt Anderson, Jr.
House of Representatives
Pouch V - Capital
Juneau, Alaska 99811

Dear Representative Anderson:

I would like to testify to urge passage of House Bill 665. I feel House Bill 665 would help clear up some of the problems with limited entry.

I have fished most of my life as a fishing partner and have fished as a net net gear holder. (1964 and 1965) and fishing in the Bristol Bay has been my only source of income. Being awarded a permit would give me back my traditional summer job. Not having a job it has caused a hardship because I am unable to get net anymore.

I didn't file my permit because I didn't know about limited entry until that next year, which was too late.

Sincerely yours,

Earl G. Goto

BRISTOL BAY NATIVE ASSOCIATION
P.O. Box 189
Dillingham, Alaska 99576

BOARD EXECUTIVE COMMITTEE

RESOLUTION NO. 80-11

WHEREAS, many rural residents of the State of Alaska, in particular the Bristol Bay region have not received limited entry permits for which they were otherwise qualified, solely because of their failure to submit timely applications to the Commercial Fisheries Entry Commission; and,

WHEREAS, the individual persons failure to submit a timely application was due to factors beyond his or her control: namely, the lack of understanding by such individuals of their rights under the Limited Entry Act and of the need to submit an application or be forever barred from pursuing their livelihood; the shortness of the application period; the geographical remoteness of the communities in which such individuals lived from the centers of communication and application assistance, and the misinformation prevalent concerning the standards of eligibility for limited entry permits; and,

WHEREAS, these individuals are now prevented from participating in one of the few only occupations they have known, or that is available to them in their community; and,

WHEREAS, the State of Alaska has an obligation to rectify the injustice caused by the implementation of the Limited Entry Act,

NOW THEREFORE BE IT RESOLVED that the Bristol Bay Native Association supports House Bill 663 and the establishment of a new application period for limited entry permits.

SIGNED

William P. Johnson
President

William P. Johnson

CERTIFICATION:

I, the undersigned secretary of said Association, do hereby certify that the Executive Committee is composed of 10 members, of whom 6 were present at a meeting this 27 day of February, 1980, and that the foregoing resolution was adopted by the affirmative vote of 6 members.

SIGNED

SECRETARY
Joseph L. Clark

BRISTOL BAY NATIVE ASSOCIATION

P.O. BOX 179
DILLINGHAM, ALASKA 99571
PHONE (907) 842-257

MEMORANDUM

TO: House Resources Committee

- ✓ Rep. Alvin Osterback, Co-Chairman
- Rep. Bill Miles, Co-Chairman
- Rep. Fred Zharoff, Vice-Chairman
- Rep. Pat Carney
- Rep. Samuel Cotton
- Rep. Jack Fuller
- Rep. C. V. Chatterton
- Rep. Richard Elarton
- Rep. Richard Lifford

FROM: Fred S. Anderson, Executive Director

DATE: March 14, 1980

Re: Late Filed Resolution

Dear Mr. Chairman, Members of House Resources Committee:

Enclosed is a resolution, #0-11, passed by the Bristol Bay Native Association Executive Committee at a regular monthly meeting held on February 20th & 28th, 1980.

Resolution is self-explanatory, therefore does not require further explanation.

FTA/mff

cc: Neils A. Anderson, Representative
Terry Gardner, Speaker of the House
Clem Tallon, President of the Senate

Enclosure: Resolution #0-11 - Late Filed Resolution

BRISTOL BAY NATIVE ASSOCIATION
P.O. Box 182
Dillingham, Alaska 99576

EXECUTIVE COMMITTEE MEETING

RESOLUTION NO. 2-1

WHEREAS, many rural residents of the State of Alaska, in particular the Bristol Bay region have not received limited entry permits for which they were otherwise qualified, solely because of their failure to submit timely applications to the Commercial Fisheries Entry Commission; and,

WHEREAS, the individual persons failure to submit a timely application was due to factors beyond his or her control; namely, the lack of understanding by such individuals of their rights under the Limited Entry Act and of the need to submit an application or be forever forced from pursuing their livelihood; the shortness of the application period; the geographical remoteness of the communities in which such individuals lived from the centers of communication and application assistance; and the misinformation prevalent concerning the standards of eligibility for limited entry permits; and,

WHEREAS, these individuals are now prevented from participating in one of the few only occupations they have known, or that is available to them in their community; and,

WHEREAS, the State of Alaska has an obligation to rectify the injustice caused by the implementation of the Limited Entry Act,

NOW THEREFORE BE IT RESOLVED that the Bristol Bay Native Association supports House Bill 665 and the establishment of a new application period for limited entry permits.

SIGNED _____

President

CERTIFICATION

I, the undersigned secretary of said Association, do hereby certify that the Executive Committee is composed of _____ members, of whom _____ were present at a meeting this _____ day of February, 1980, and that the foregoing resolution was adopted by the affirmative vote of _____ members.

SIGNED _____

SECRETARY

3604 0904 10.07 JAC1 0011 10.07 03/06/00

9/13

MEMBERS OF HOUSE RESOURCES:

- ✓ REP. OSTLBACK
- REP. MILES
- REP. ZHAROFF
- REP. CARNEY
- REP. COTTON
- REP. FULLER
- REP. CHATTERTON
- REP. ELIASON
- REP. HALFORD

Mary

FR: G. KELVIN KAMBAK
 BOX 426
 SITKA, AK. 99835
 RE: LIMITED ENTRY

1. WHILE DISCUSSING LIMITED ENTRY PLEASE CONSIDER MY OPTIONS:
 - LICENSES ARE FOR HARVESTING RESOURCES BELONGING TO ALL ALASKANS
 - PERMITS SHOULD FIRST BE AVAILABLE TO PRESENT AND FUTURE ALASKANS
2. TO INSURE WE HARVEST THIS RESOURCE I SUGGEST:
 - ALL PERMITS SHOULD BE RETURNED TO THE STATE WHEN THE HOLDER LEAVES FISHERY
 - PERMITS TO BE REISSUED BY LOTTERY. WEIGHTED CONSIDERATION FOR APPLICANTS: TEN YEAR RESIDENT RECEIVES TEN CHANCES, TWENTY YEAR RESIDENT RECEIVES TWENTY CHANCES
 - NUMBER OF PERMITS ADJUSTED TO BENEFIT RESOURCES, PERMIT HOLDER
3. THANKS FOR THE CONSIDERATION. KEEP UP THE GOOD WORK.

SIGNED
 G. KELVIN KAMBAK

OK

KENNETH R. HAMM

ATTORNEY AT LAW

P.O. Box 1243
Bethel, Alaska 99559
(907) 543-2385

March 5, 1980

Mr. Bill Miles
Mr. Alvin Osterbach
Co-Chairmen
House Resources Committee
Alaska House of Representatives
Pouch V
Juneau, Alaska 99811

FE: HB 665

Dear Mr. Miles and Mr. Osterbach:

I'm an attorney in Bethel who has worked with limited entry problems in the fishery service area for the past three and a half years, first as an attorney with Alaska Legal Services, and now with Nunam Kitlutsisti. I would like to take this opportunity to make some very brief comments on HB 665.

HB 665 is a very narrow bill aimed at a specific problem: persons who have enough points to obtain a permit but failed to apply in a timely fashion. It is my understanding that the Commission is claiming that the passage of such a bill will result in a flood of new permit holders which will overcrowd the fishery. My experiences do not lend credence to this assertion. During the past three and one-half years I have spoken with approximately 250 individuals concerning the problems they have had with limited entry permits. Out of that number only 10 or 15 would receive permits if a new application period were opened. Although the Commission might expect numerous applications if such an application period were opened, I do not believe that the administrative problem which this would create justifies the continued denial of permits to persons who have enough points but failed to apply in a timely fashion.

These persons who had enough points but failed to apply on time were not at fault. There seem to be two classes of persons who failed to apply on time. The first class consists of individuals who were not physically present in the area during the application period and had no knowledge of the limited entry system or application period until it was too late. The reasons for such absence are varied: military service, higher education, and incarceration are but a few. The second class of such individuals are generally older, fail to understand English, and are culturally and geographically isolated from the Commission's chain of paperwork. Both classes of individuals were long-time commercial fishermen who depended upon the industry for their income and will suffer severe financial hardship if they continue to be excluded from the fishery. I can see no rational justification for continuing to exclude this handful of individuals from the fishery.

Mr. Bill Miles and Mr. Alvin Osterhach

3/5/60

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The one concern which I have about HB 665 is that it does not go far enough. The bill would simply open a new application period. The bill does not guarantee that persons with sufficient points will receive permits since they are still required to apply for a permit. Needless to say, many of the reasons that persons failed to apply during the original application period, such as linguistic differences, cultural and geographical isolation, and distance from the State, continue to the present day, and it might be expected that these reasons will continue to frustrate the smooth flow of paperwork. Consequently, I recommend that the bill contain a provision that simply requires the Commission to inspect its records and automatically issue permits to those persons with a sufficient number of points. Such a provision would insure that the problem which the bill seeks to address is actually corrected.

In the absence of such a provision, the bill should require a lengthy application period (at least one additional year) coupled with strong outreach requirements insuring that persons with sufficient points are notified by the Commission of the new application period and informed that they appear to qualify for a permit.

Sincerely,

Kenneth R. Ham

Kenneth R. Ham
Attorney at Law

cc: Mr. Anderson
Mr. Gardner
Mr. Tiller
George Kilgus

Wm March 4, 1980

Dear Mr. C. Starbuck.

HB 665

I am writing to you in the support of the house bill 665. This bill must pass & I hope it does for the sake of us Alaskan Fishermen. We have fished all our lives in Alaska until they came out with this limited entry hogwash. How many of us Alaskans that depend on seasonal fishing - to support our families, must look elsewhere for odd jobs which hardly pay to support a family, and most of us fishermen in Alaska are not skilled in most good paying jobs - to support our families.

Sincerely yours
Ruben Lincoln
White Mt. Alaska
99784

~~Surge~~
Please
take up

603
John Westcott
Box 36
Ukhnagih, ak. 99155
7-mar. 1980

A. Peterbuck,
Chairman, Alaska Resources
Panel
Juneau, ak. 99801

Dear Mr. Peterbuck,
— I understand they had a
meeting in Dillingham Mar. 3rd
about permit. I didn't go to that
meeting cause I was hauling mail
from Ukhnagih to Dillingham then
back to Ukhnagih. — I had history
of Commercial license back in 1958,
1960, 1961, 1962, 1963, 1964, 1965,
1966, 1967, 1968, 1969, 1970, 1971,
1972, 1973, ~~1974~~ 1975, 1976, 1978,
1979, but did not fish in 1974
cause I was working for Queen
Fisheries in Seattle. I know I filled
out application for permit in 1974 but
didn't get enough points for permit.
— In 1967 I fished in Chignik area
in 1958 or 1967 I fished with my
older brother he put then I
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