

11898

SENATE

LABOR

&

COMMERCE

Appropriate Resident -- Non-Resident Fee Differential Calculation FY 1984 - FY 2002	FY 89	FY 90	FY 91	FY 92	FY 93	FY 94
"Fisheries Budget" Sub-Components (\$ thousands)						
Direct Operating Expenditures	117,873.5	138,375.5	134,458.3	152,564.2	148,446.3	138,920.3
Indirect Operating Expenditures	5,562.5	5,385.5	3,486.5	3,717.8	5,477.4	4,231.3
Enhancement Loan Subsidy	4,305.0	1,927.7	1,588.9	3,567.3	3,298.5	2,626.4
Harbors and Other Capital Costs	3,279.8	3,388.7	3,518.3	3,648.6	6,120.0	4,273.2
Total "Fisheries Budget Sub-Components"	131,020.8	149,077.4	143,052.0	163,497.9	163,342.2	150,051.1
Alaska Population, July 1 (thousands at beginning of fiscal year)	538.9	553.2	569.1	586.7	596.9	600.6
Total State Revenue Appropriated (\$ millions)	3,986.7	4,212.0	4,879.4	4,976.9	4,943.9	5,608.3
State Oil Derived Revenues Appropriated (\$ millions)	2,660.6	3,062.8	3,620.1	2,972.5	2,862.1	2,589.2
Petroleum Derived Percentage of Total (5) = (4) / (3)	66.7%	72.7%	74.2%	59.7%	57.9%	46.2%
Per Capita "Fisheries Budget" (6) = (1) / (2)	243.13	269.50	251.39	278.66	273.65	249.83
Appropriate Resident -- Non-Resident Fee Differential (7) = (5) * (6)	162.26	195.97	186.51	166.44	158.42	115.34
Average FY 84 - FY 2002						

Prepared by OMB - BP
6/30/2003

Appropriate Resident – Non-Resident Fee Differential Calculation FY 1984 - FY 2002	FY 95	FY 96	FY 97	FY 98	FY 99
"Fisheries Budget" Sub-Components (\$ thousands)					
Direct Operating Expenditures	143,590.7	142,801.6	124,834.9	116,048.2	113,508.4
Indirect Operating Expenditures	3,122.4	2,916.1	3,439.3	3,623.2	3,591.8
Enhancement Loan Subsidy	5,072.9	2,357.2	1,209.9	1,719.2	804.2
Harbors and Other Capital Costs	3,711.3	3,686.1	8,547.8	3,978.5	4,761.1
Total "Fisheries Budget Sub-Components"	155,583.4	151,760.9	138,031.9	125,369.1	122,665.6
Alaska Population, July 1 (thousands at beginning of fiscal year)	601.6	605.2	609.7	617.1	622.0
Total State Revenue Appropriated (\$ millions)	5,182.8	7,141.3	6,288.1	5,610.2	6,053.1
State Oil Derived Revenues Appropriated (\$ millions)	2,552.5	4,841.8	4,045.6	3,071.4	3,288.3
Petroleum Derived Percentage of Total (5) = (4) / (3)	49.2%	67.8%	64.3%	54.7%	54.3%
Per Capita "Fisheries Budget" (6) = (1) / (2)	258.62	250.76	226.41	203.16	197.21
Appropriate Resident -- Non-Resident Fee Differential (7) = (5) * (6)	127.37	170.01	145.67	111.22	107.13
Average FY 84 - FY 2002					

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Appropriate Resident -- Non-Resident Fee Differential Calculation FY 1984 - FY 2002	FY 2000	FY 01	FY 02
"Fisheries Budget" Sub-Components (\$ thousands)			
Direct Operating Expenditures	127,164.9	134,752.4	141,241.7
Indirect Operating Expenditures	1,898.6	2,405.2	3,767.8
Enhancement Loan Subsidy	1,012.5	591.5	386.9
Harbors and Other Capital Costs	4,751.3	4,632.7	4,360.8
Total "Fisheries Budget Sub-Components"	134,827.2	142,381.8	149,757.2
Alaska Population, July 1 (thousands at beginning of fiscal year)	627.7	633.6	643.8
Total State Revenue Appropriated (\$ millions)	6,750.1	7,297.3	7,495.2
State Oil Derived Revenues Appropriated (\$ millions)	3,783.6	3,673.6	3,732.5
Petroleum Derived Percentage of Total (5) = (4) / (3)	56.1%	50.3%	49.8%
Per Capita "Fisheries Budget" (6) = (1) / (2)	214.80	224.71	232.62
Appropriate Resident -- Non-Resident Fee Differential (7) = (5) * (6)	120.40	113.12	115.84
Average FY 84 - FY 2002	Latest 5 Year Average		113.54

Prepared by OMB - BP
6/30/2003

**FY 1984 - FY 2002 Commercial Fishing
Operating Budget Expenditures (\$ thousands)**

Department

Component/BRU/Category

Labor (DOL)

Fisherman's Fund
Wage & Hour
Mechanical Inspection
OSH

DOL Total

Public Safety (DPS)

Fish and Wildlife Protection
State Troopers
Commissioner's Office
Administration Services
Laboratory Services
Information Systems

DPS Total

Commerce (DCED)

Commissioner/Administration
Business/Economic Development
Commercial Fisheries Development
Community and Business Development
Trade & Development
Measurement Standard:
Investments
ASMI
Fish Enhancement Tax
Fisheries Business Tax
Community Development Quota Program

DCED Total

Governor

Exec Operations, DGC & OMB

Court System

Law

Civil
Criminal
Statehood Defense/Federal Relations
Environmental/Exxon
Mental Health Lands

Law: Total

Operating Expenditures (continued)
(\$ thousands)

Department
Component/BRU/Category

Revenue (DOR)

Operations
Shared Fish Taxes
DOR Total

Community & Regional Affairs (DCRA)

Community Development Quota Program
Shared Fish Taxes
Bering Sea Fisherman's Assoc Grants
DCRA Total

Environmental Conservation (DEC)

Air and Water Quality
Environmental Health
Exxon Valdez Restoration
DEC Total

Legislature**

Legislature Total

Natural Resources (DNR)

Forest
Land
Water
DNR Total

University of Alaska

Fisheries Research
Fisheries Industrial Technical Center
School of Fisheries and Ocean Sciences
Institute of Marine Science
Marine Advisory Program
Sea Grant Program
CES Fisheries
University Total

Fish and Game (ADFG)

Commercial Fisheries
Sport Fish
FRED
Commissioner's Office
Administration
Boards of Fish and Game
Habitat
CF Restoration Projects
CFEC
ADFG Total

Total Operating Expenditures

Sources: Budget analyst's estimates using Legislative Finance, "Summary of Appropriations" data for various
Legislature and Courts estimates provided by OMB per Court-approved methodology.

Appropriate Resident -- Non-Resident Fee Differential Calculation FY 1984 - FY 2002	FY 84	FY 85	FY 86	FY 87	FY 88
"Fisheries Budget" Sub-Components (\$ thousands)					
Direct Operating Expenditures	82,917.8	95,904.1	103,159.3	96,845.0	102,099.3
Indirect Operating Expenditures	2,671.5	3,840.0	4,596.7	3,430.1	5,008.9
Enhancement Loan Subsidy	4,834.8	9,001.5	2,404.6	1,308.2	2,576.7
Harbors and Other Capital Costs	3,400.1	3,961.6	3,262.5	3,256.1	3,256.1
(1) Total "Fisheries Budget Sub-Components"	93,824.2	112,707.2	113,423.1	104,839.4	112,940.9
(2) Alaska Population, July 1 (thousands at beginning of fiscal year)	524.0	543.9	550.7	541.3	535.0
(3) Total State Revenue Appropriated (\$ millions)	4,465.9	5,094.8	4,223.9	5,261.8	3,924.8
(4) State Oil Derived Revenues Appropriated (\$ millions)	3,487.5	3,495.3	3,177.2	3,198.0	2,676.8
(5) Petroleum Derived Percentage of Total (5) = (4) / (3)	78.1%	68.6%	75.2%	60.8%	68.2%
(6) Per Capita "Fisheries Budget" (6) = (1) / (2)	179.05	207.22	205.96	193.68	211.10
(7) Appropriate Resident -- Non-Resident Fee Differential (7) = (5) * (6)	139.83	142.16	154.93	117.72	143.98
Average FY 84 - FY 2002	141.81				

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**FY 1984 - FY 2002 Commercial Fishing
Operating Budget Expenditures (\$ thousands)**

Department

Component/BRU/Category

Labor (DOL)

Fisherman's Fund
Wage & Hour
Mechanical Inspection
OSH

DOL Total

Public Safety (DPS)

Fish and Wildlife Protection
State Troopers
Commissioner's Office
Administration Services
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Information Systems

DPS Total

Commerce (DCED)

Commissioner/Administration
Business/Economic Development
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Community and Business Development
Trade & Development
Measurement Standards
Investments
ASMI
Fish Enhancement Tax
Fisheries Business Tax
Community Development Quota Program

DCED Total

Governor

Exec Operations, DGC & OMB

Court System

Law

Civil
Criminal
Statehood Defense/Federal Relations
Environmental/Exxon
Mental Health Lands

Law Total

Operating Expenditures (continued)
(\$ thousands)

Department
Component/BRU/Category

Revenue (DOR)

Operations
Shared Fish Taxes
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Community & Regional Affairs (DCRA)

Community Development Quota Program
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Environmental Conservation (DEC)

Air and Water Quality
Environmental Health
Exxon Valdez Restoration
DEC Total

Legislature**

Legislature Total

Natural Resources (DNR)

Forest
Land
Water
DNR Total

University of Alaska

Fisheries Research
Fisheries Industrial Technical Center
School of Fisheries and Ocean Sciences
Institute of Marine Science
Marine Advisory Program
Sea Grant Program
CES Fisheries
University Total

Fish and Game (ADFG)

Commercial Fisheries
Sport Fish
FRED
Commissioner's Office
Administration
Boards of Fish and Game
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**Appropriate Resident -- Non-Resident Fee
Differential Calculation FY 1984 - FY 2002**

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**FY 1984 - FY 2002 Commercial Fishing
Operating Budget Expenditures (\$ thousands)**

Department
Component/BRU/Category

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Fisherman's Fund
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Mechanical Inspection
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DOL Total

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Community and Business Development
Trade & Development
Measurement Standards
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Fish Enhancement Tax
Fisheries Business Tax
Community Development Quota Program

DCED Total

Governor

Exec Operations, DGC & OMB

Court System

Law

Civil
Criminal
Statehood Defense/Federal Relations
Environmental/Exxon
Mental Health Lands

Law Total

Operating Expenditures (continued)
(\$ thousands)

Department
Component/BRU/Category

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Operations
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Community Development Quota Program
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Environmental Conservation (DEC)

Air and Water Quality
Environmental Health
Exxon Valdez Restoration
DEC Total

Legislature**

Legislature Total

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Forest
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Indirect Operating Expenditures	5,562.5	5,385.5	3,486.5	3,717.8	5,477.4	4,231.3
Enhancement Loan Subsidy	4,305.0	1,927.7	1,588.9	3,567.3	3,298.5	2,626.4
Harbors and Other Capital Costs	3,279.8	3,388.7	3,518.3	3,648.6	6,120.0	4,273.2
Total "Fisheries Budget Sub-Components"	131,020.8	149,077.4	143,052.0	163,497.9	163,342.2	150,051.1
Alaska Population, July 1 (thousands at beginning of fiscal year)	538.9	553.2	569.1	586.7	596.9	600.6
Total State Revenue Appropriated (\$ millions)	3,986.7	4,212.0	4,879.4	4,976.9	4,943.9	5,608.3
State Oil Derived Revenues Appropriated (\$ millions)	2,660.6	3,062.8	3,620.1	2,972.5	2,862.1	2,589.2
Petroleum Derived Percentage of Total (5) = (4) / (3)	66.7%	72.7%	74.2%	59.7%	57.9%	46.2%
Per Capita "Fisheries Budget" (6) = (1) / (2)	243.13	269.50	251.39	278.66	273.65	249.83
Appropriate Resident -- Non-Resident Fee Differential (7) = (5) * (6)	162.26	195.97	186.51	166.44	158.42	115.34
Average FY 84 - FY 2002						

Prepared by OMB - BP
6/30/2003

Appropriate Resident -- Non-Resident Fee Differential Calculation FY 1984 - FY 2002	FY 95	FY 96	FY 97	FY 98	FY 99
"Fisheries Budget" Sub-Components (\$ thousands)					
Direct Operating Expenditures	143,590.7	142,801.6	124,834.9	116,048.2	113,508.4
Indirect Operating Expenditures	3,122.4	2,916.1	3,439.3	3,623.2	3,591.8
Enhancement Loan Subsidy	5,072.9	2,357.2	1,209.9	1,719.2	804.2
Harbors and Other Capital Costs	3,797.3	3,686.1	8,547.8	3,978.5	4,761.1
Total "Fisheries Budget Sub-Components"	155,533.4	151,760.9	138,031.9	125,369.1	122,665.6
Alaska Population, July 1 (thousands at beginning of fiscal year)	601.6	605.2	609.7	617.1	622.0
Total State Revenue Appropriated (\$ millions)	5,182.8	7,141.3	6,288.1	5,610.2	6,053.1
State Oil Derived Revenues Appropriated (\$ millions)	2,552.5	4,841.8	4,045.6	3,071.4	3,288.3
Petroleum Derived Percentage of Total (5) = (4) / (3)	49.2%	67.8%	64.3%	54.7%	54.3%
Per Capita "Fisheries Budget" (6) = (1) / (2)	258.62	250.76	226.41	203.16	197.21
Appropriate Resident -- Non-Resident Fee Differential (7) = (5) * (6)	127.37	170.01	145.67	111.22	107.13
Average FY 84 - FY 2002					

Prepared by OMB - BP
6/30/2003

Appropriate Resident -- Non-Resident Fee Differential Calculation FY 1984 - FY 2002	FY 2000	FY 01	FY 02
"Fisheries Budget" Sub-Components (\$ thousands)			
Direct Operating Expenditures	127,164.9	134,752.4	141,241.7
Indirect Operating Expenditures	1,898.6	2,405.2	3,767.8
Enhancement Loan Subsidy	1,012.5	591.5	386.9
Harbors and Other Capital Costs	4,751.3	4,632.7	4,360.8
Total "Fisheries Budget Sub-Components"	134,827.2	142,381.8	149,757.2
Alaska Population, July 1 (thousands at beginning of fiscal year)	627.7	633.6	643.8
Total State Revenue Appropriated (\$ millions)	6,750.1	7,297.3	7,495.2
State Oil Derived Revenues Appropriated (\$ millions)	3,783.6	3,673.6	3,732.5
Petroleum Derived Percentage of Total (5) = (4) / (3)	56.1%	50.3%	49.8%
Per Capita "Fisheries Budget" (6) = (1) / (2)	214.80	224.71	232.62
Appropriate Resident -- Non-Resident Fee Differential (7) = (5) * (6)	120.40	113.12	115.84
Average FY 84 - FY 2002	Latest 5 Year Average		113.54

Prepared by OMB - BP
6/30/2003

**FY 1984 - FY 2002 Commercial Fishing
Operating Budget Expenditures (\$ thousands)**

Department
Component/BRU/Category

Labor (DOL)

Fisherman's Fund
Wage & Hour
Mechanical Inspection
OSH

DOL Total

Public Safety (DPS)

Fish and Wildlife Protection
State Troopers
Commissioner's Office
Administration Services
Laboratory Services
Information Systems

DPS Total

Commerce (DCED)

Commissioner/Administration
Business/Economic Development
Commercial Fisheries Development
Community and Business Development
Trade & Development
Measurement Standards
Investments
ASMI
Fish Enhancement Tax
Fisheries Business Tax
Community Development Quota Program

DCED Total

Governor

Exec Operations, DGC & OMB

Court System

Law

Civil
Criminal
Statehood Defense/Federal Relations
Environmental/Exxon
Mental Health Lands

Law Total

Operating Expenditures (continued)
(\$ thousands)

Department

Component/BRU/Category

Revenue (DOR)

Operations
Shared Fish Taxes

DOR Total

Community & Regional Affairs (DCRA)

Community Development Quota Program
Shared Fish Taxes
Bering Sea Fisherman's Assoc Grants

DCRA Total

Environmental Conservation (DEC)

Air and Water Quality
Environmental Health
Exxon Valdez Restoration

DEC Total

Legislature**

Legislature Total

Natural Resources (DNR)

Forest
Land
Water

DNR Total

University of Alaska

Fisheries Research
Fisheries Industrial Technical Center
School of Fisheries and Ocean Sciences
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Marine Advisory Program
Sea Grant Program
CES Fisheries

University Total

Fish and Game (ADFG)

Commercial Fisheries
Sport Fish
FRED
Commissioner's Office
Administration
Boards of Fish and Game
Habitat
CF Restoration Projects
CFEC

ADFG Total

Total Operating Expenditures

Sources: Budget analyst's estimates using Legislative Finance, "Summary of Appropriations" data for various
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Appropriate Resident -- Non-Resident Fee Differential Calculation FY 1984 - FY 2002	FY 84	FY 85	FY 86	FY 87	FY 88
"Fisheries Budget" Sub-Components (\$ thousands)					
Direct Operating Expenditures	82,917.8	95,904.1	103,159.3	96,845.0	102,099.3
Indirect Operating Expenditures	2,671.5	3,840.0	4,596.7	3,430.1	5,008.9
Enhancement Loan Subsidy	4,834.8	9,001.5	2,404.6	1,308.2	2,576.7
Harbors and Other Capital Costs	3,400.1	3,961.6	3,262.5	3,256.1	3,256.1
(1) Total "Fisheries Budget Sub-Components"	93,824.2	112,707.2	113,423.1	104,839.4	112,940.9
(2) Alaska Population, July 1 (thousands at beginning of fiscal year)	524.0	543.9	550.7	541.3	535.0
(3) Total State Revenue Appropriated (\$ millions)	4,465.9	5,094.8	4,223.9	5,261.8	3,924.8
(4) State Oil Derived Revenues Appropriated (\$ millions)	3,487.5	3,495.3	3,177.2	3,198.0	2,676.8
(5) Petroleum Derived Percentage of Total (5) = (4) / (3)	78.1%	68.6%	75.2%	60.8%	68.2%
(6) Per Capita "Fisheries Budget" (6) = (1) / (2)	179.05	207.22	205.96	193.68	211.10
(7) Appropriate Resident -- Non-Resident Fee Differential (7) = (5) * (6)	139.83	142.16	154.93	117.72	143.98
Average FY 84 - FY 2002	141.81				

Prepared by OMB - BP
6/30/2003

Appropriate Resident -- Non-Resident Fee Differential Calculation FY 1984 - FY 2002	FY 89	FY 90	FY 91	FY 92	FY 93	FY 94
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Direct Operating Expenditures	117,873.5	138,375.5	134,458.3	152,564.2	148,446.3	138,920.3
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6/30/2003

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Prepared by OMB - BP
6/30/2003

**FY 1984 - FY 2002 Commercial Fishing
Operating Budget Expenditures (\$ thousands)**

Department

Component/BRU/Category

Labor (DOL)

Fisherman's Fund
Wage & Hour
Mechanical Inspection
OSH

DOL Total

Public Safety (DPS)

Fish and Wildlife Protection
State Troopers
Commissioner's Office
Administration Services
Laboratory Services
Information Systems

DPS Total

Commerce (DCED)

Commissioner/Administration
Business/Economic Development
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Fish Enhancement Tax
Fisheries Business Tax
Community Development Quota Program

DCED Total

Governor

Exec Operations, DGC & OMB

Court System

Law

Civil
Criminal
Statehood Defense/Federal Relations
Environmental/Exxon
Mental Health Lands

Law Total

Operating Expenditures (continued)
(\$ thousands)

Department
Component/BPU/Category

Revenue (DOR)

Operations
Shared Fish Taxes

DOR Total

Community & Regional Affairs (DCRA)

Community Development Quota Program
Shared Fish Taxes
Bering Sea Fisherman's Assoc Grants

DCRA Total

Environmental Conservation (DEC)

Air and Water Quality
Environmental Health
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DEC Total

Legislature**

Legislature Total

Natural Resources (DNR)

Forest
Land
Water

DNR Total

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University Total

Fish and Game (ADFG)

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ADFG Total

Total Operating Expenditures

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6/30/2003

**FY 1984 - FY 2002 Commercial Fishing
Operating Budget Expenditures (\$ thousands)**

Department

Component/BRU/Category

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Fisherman's Fund
Wage & Hour
Mechanical Inspection
OSH

DOL Total

Public Safety (DPS)

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DCED Total

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Exec Operations, DGC & OMB

Court System

Law

Civil
Criminal
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Environmental/Exxon
Mental Health Lands

Law Total

Operating Expenditures (continued)
(\$ thousands)

Department
Component/BRU/Category

Revenue (DOR)

Operations
Shared Fish Taxes
DOR Total

Community & Regional Affairs (DCRA)

Community Development Quota Program
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Air and Water Quality
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Exxon Valdez Restoration
DEC Total

Legislature**

Legislature Total

Natural Resources (DNR)

Forest
Land
Water
DNR Total

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Indirect Operating Expenditures	5,562.5	5,385.5	3,486.5	3,717.8	5,477.4	4,231.3
Enhancement Loan Subsidy	4,305.0	1,927.7	1,588.9	3,567.3	3,298.5	2,626.4
Harbors and Other Capital Costs	3,279.8	3,388.7	3,518.3	3,648.6	6,120.0	4,273.2
Total "Fisheries Budget Sub-Components"	131,020.8	149,077.4	143,052.0	163,497.9	163,342.2	150,051.1
Alaska Population, July 1 (thousands at beginning of fiscal year)	538.9	553.2	569.1	586.7	596.9	600.6
Total State Revenue Appropriated (\$ millions)	3,986.7	4,212.0	4,879.4	4,976.9	4,943.9	5,608.3
State Oil Derived Revenues Appropriated (\$ millions)	2,660.6	3,062.8	3,620.1	2,972.5	2,862.1	2,589.2
Petroleum Derived Percentage of Total (5) = (4) / (3)	66.7%	72.7%	74.2%	59.7%	57.9%	46.2%
Per Capita "Fisheries Budget" (6) = (1) / (2)	243.13	269.50	251.39	278.66	273.65	249.83
Appropriate Resident -- Non-Resident Fee Differential (7) = (5) * (6)	162.26	195.97	186.51	166.44	158.42	115.34
Average FY 84 - FY 2002						

Prepared by OMB - BP
6/30/2003

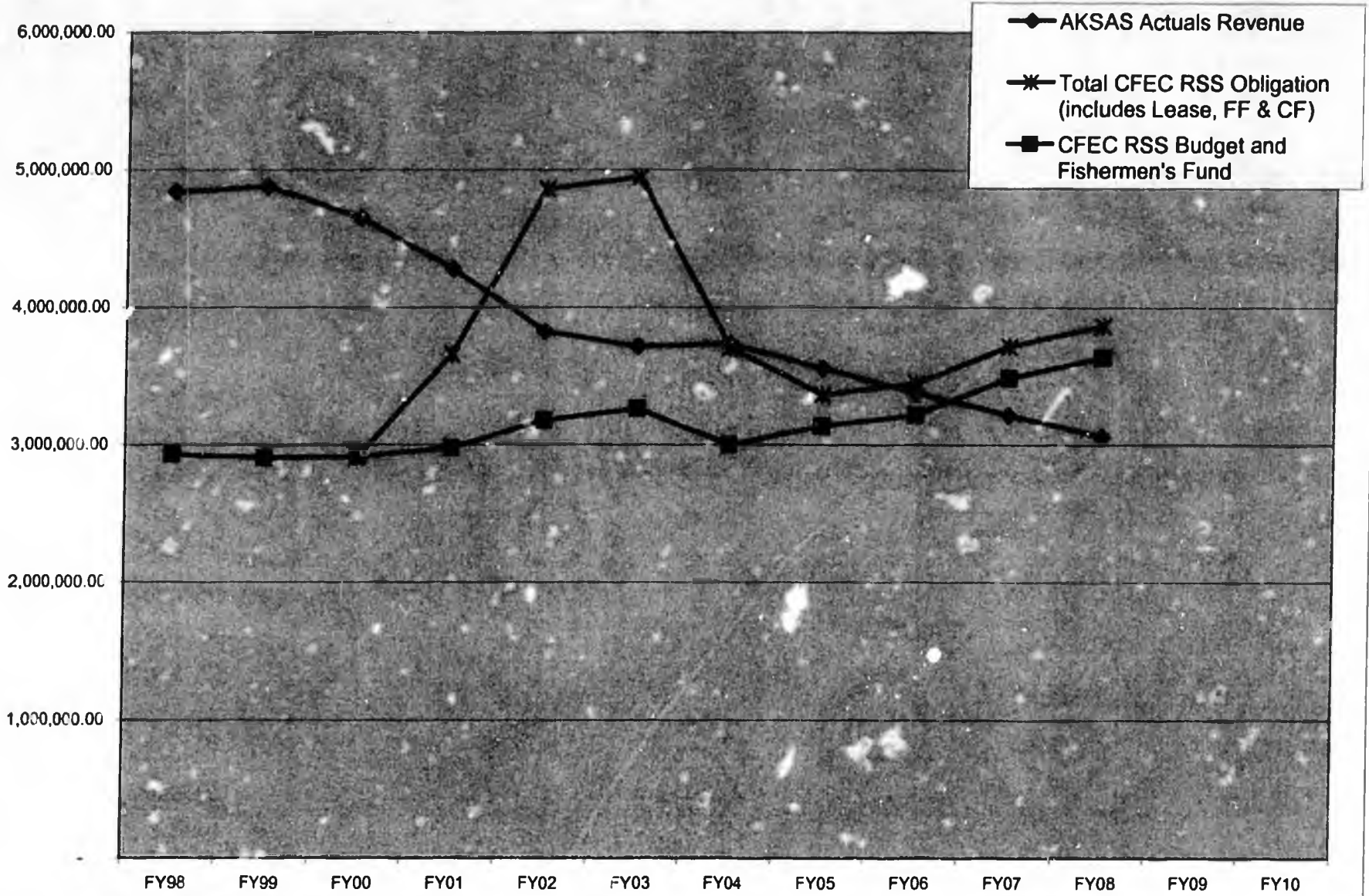
Appropriate Resident – Non-Resident Fee Differential Calculation FY 1984 - FY 2002	FY 95	FY 96	FY 97	FY 98	FY 99
"Fisheries Budget" Sub-Components (\$ thousands)					
Direct Operating Expenditures	143,590.7	142,801.6	124,834.9	116,048.2	113,508.4
Indirect Operating Expenditures	3,122.4	2,916.1	3,439.3	3,623.2	3,591.8
Enhancement Loan Subsidy	5,072.9	2,357.2	1,209.9	1,719.2	804.2
Harbors and Other Capital Costs	3,797.3	3,686.1	8,547.8	3,978.5	4,761.1
Total "Fisheries Budget Sub-Components"	155,583.4	151,760.9	138,031.9	125,369.1	122,665.6
Alaska Population, July 1 (thousands at beginning of fiscal year)	601.6	605.2	609.7	617.1	622.0
Total State Revenue Appropriated (\$ millions)	5,182.8	7,141.3	6,288.1	5,610.2	6,053.1
State Oil Derived Revenues Appropriated (\$ millions)	2,552.5	4,841.8	4,045.6	3,071.4	3,288.3
Petroleum Derived Percentage of Total (5) = (4) / (3)	49.2%	67.8%	64.3%	54.7%	54.3%
Per Capita "Fisheries Budget" (6) = (1) / (2)	258.62	250.76	226.41	203.16	197.21
Appropriate Resident -- Non-Resident Fee Differential (7) = (5) * (6)	127.37	170.01	145.67	111.22	107.13
Average FY 84 - FY 2002					

Prepared by OMB - BP
6/30/2003

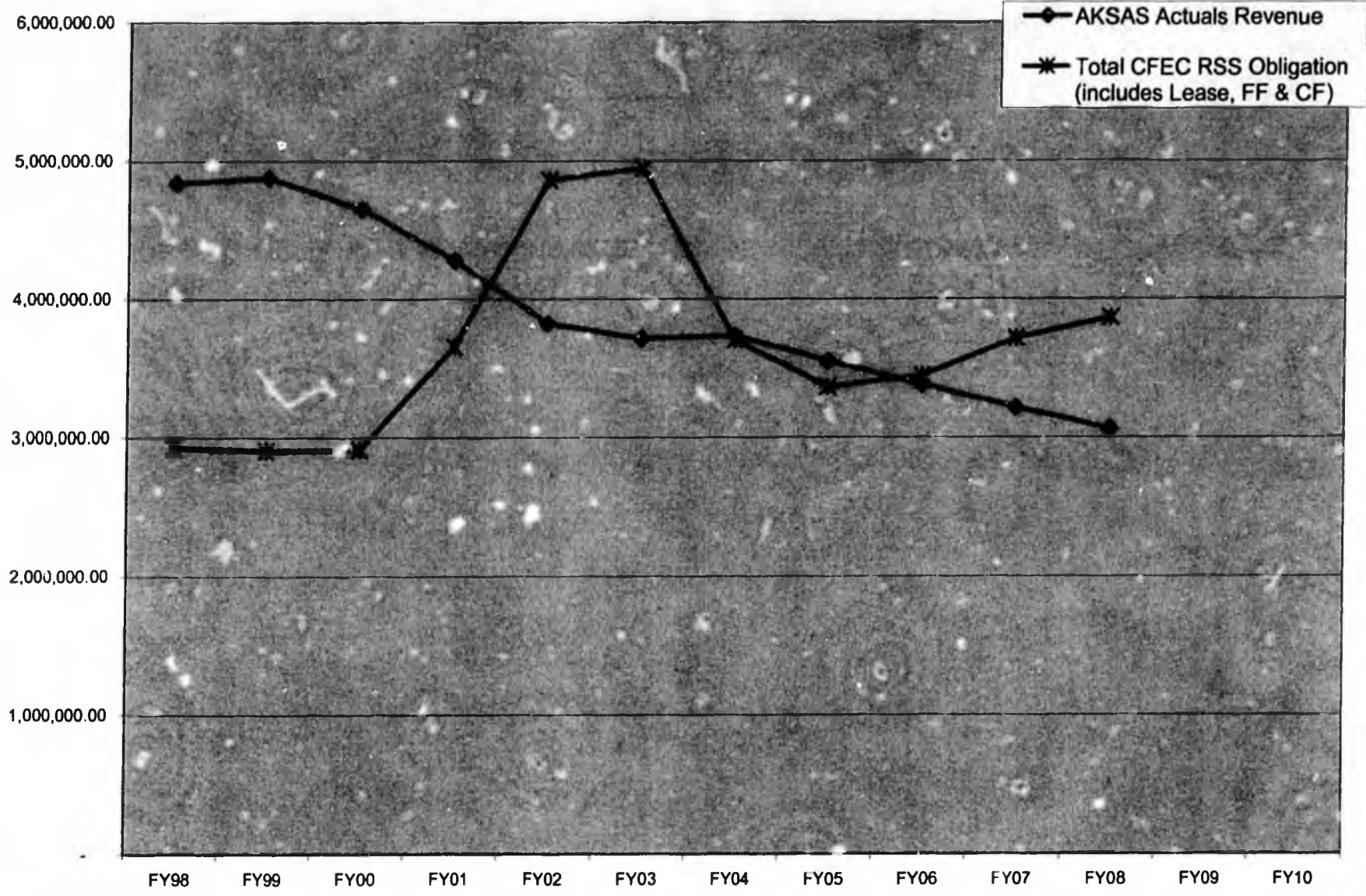
Appropriate Resident -- Non-Resident Fee Differential Calculation FY 1984 - FY 2002	FY 2000	FY 01	FY 02
"Fisheries Budget" Sub-Components (\$ thousands)			
Direct Operating Expenditures	127,164.9	134,752.4	141,241.7
Indirect Operating Expenditures	1,898.6	2,405.2	3,767.8
Enhancement Loan Subsidy	1,012.5	591.5	386.9
Harbors and Other Capital Costs	4,751.3	4,632.7	4,360.8
Total "Fisheries Budget Sub-Components"	134,827.2	142,381.8	149,757.2
Alaska Population, July 1 (thousands at beginning of fiscal year)	627.7	633.6	643.8
Total State Revenue Appropriated (\$ millions)	6,750.1	7,297.3	7,495.2
State Oil Derived Revenues Appropriated (\$ millions)	3,783.6	3,673.6	3,732.5
Petroleum Derived Percentage of Total (5) = (4) / (3)	56.1%	50.3%	49.8%
Per Capita "Fisheries Budget" (6) = (1) / (2)	214.80	224.71	232.62
Appropriate Resident -- Non-Resident Fee Differential (7) = (5) * (6)	120.40	113.12	115.84
Average FY 84 - FY 2002	Latest 5 Year Average		113.54

Prepared by OMB - BP
6/30/2003

Revenue Received Compared To Authorized RSS Budget



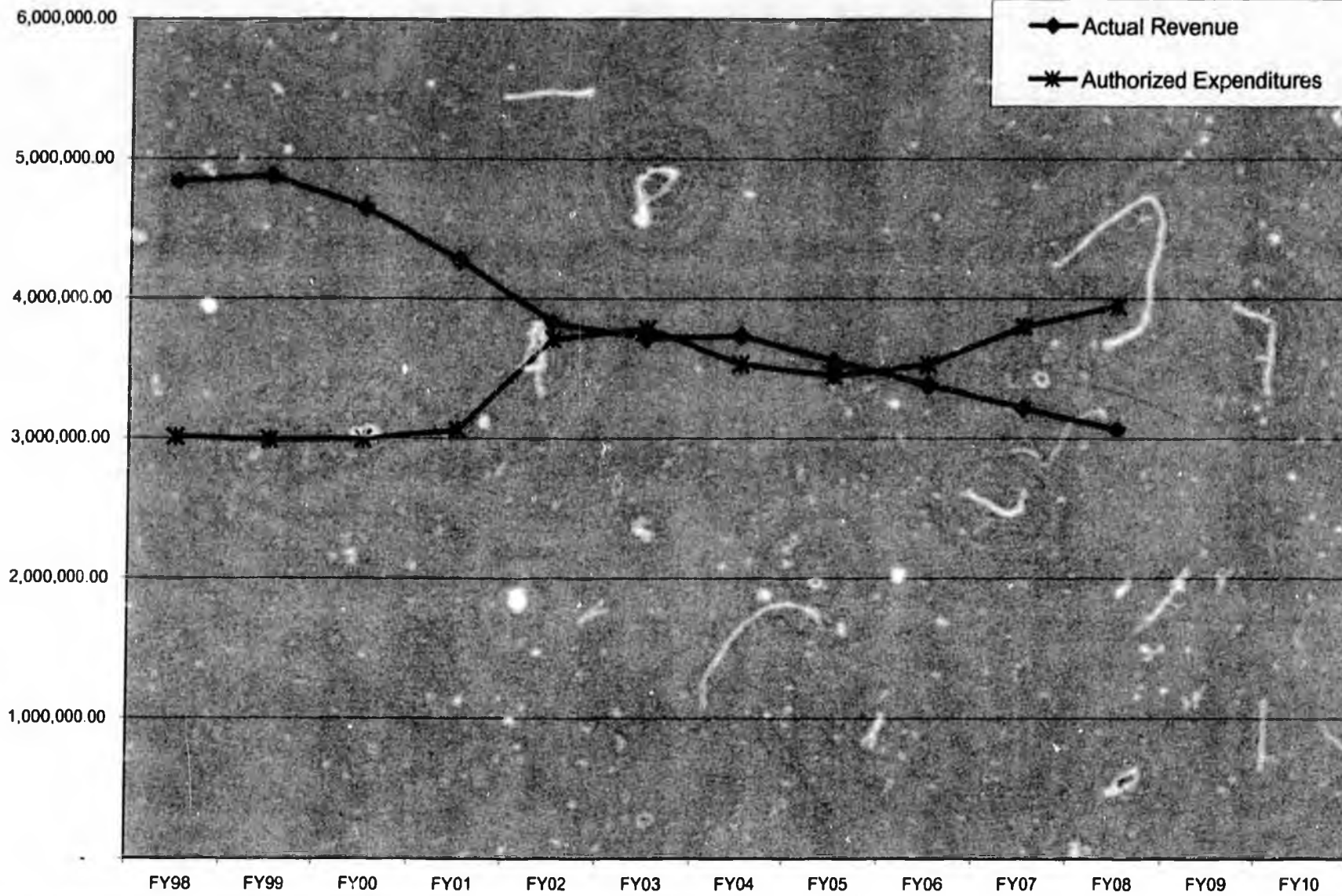
Revenue Received Compared To Authorized RSS Budget



Source: CFEC

Chart last updated on:
2/8/2005 at 3:13 PM

Revenue Received Compared To Authorized RSS Budget



CFEC Expenditure/Revenue Comparison

	FY98	FY99	FY00	FY01	FY02	FY03	FY04	FY05	FY06	FY07	FY08
AKSAS Actuals Revenue	4,839,400.00	4,878,100.00	4,649,400.00	4,279,300.00	3,825,000.00	3,714,800.00	3,733,800.00	3,552,337.32	3,379,693.73	3,215,440.61	3,056,170.20
								-----Projected based on calculated 4.86% decline-----			
CFEC RSS Authorized Budget											
	2,536,500.00	2,520,400.00	2,520,400.00	2,563,800.00	2,786,500.00	2,856,900.00	2,592,900.00	2,727,200.00	2,808,800.00	3,078,800.00	3,228,800.00
FF Obligation	392,000.00	385,300.00	392,700.00	413,600.00	390,800.00	405,800.00	407,000.00	407,000.00	407,000.00	407,000.00	407,000.00
CF Obligation	-	-	-	678,000.00	1,684,100.00	1,684,900.00	704,000.00	230,000.00	230,000.00	230,000.00	230,000.00
CFEC RSS Budget and Fishermen's Fund	2,928,500.00	2,905,700.00	2,913,100.00	2,977,400.00	3,177,300.00	3,262,700.00	2,999,900.00	3,134,200.00	3,215,800.00	3,485,800.00	3,635,800.00
Total CFEC RSS Obligation (includes Lease, FF & CF)	2,928,500.00	2,905,700.00	2,913,100.00	3,655,400.00	4,861,400.00	4,947,600.00	3,703,900.00	3,364,200.00	3,445,800.00	3,715,800.00	3,865,800.00
								Items in orange area above are <u>projections only</u>			
Difference between Revenue and Total CFEC RSS Obligations											
AKSAS Actual	1,910,900.00	1,972,400.00	1,736,300.00	623,900.00	(1,036,400.00)	(1,232,800.00)	29,900.00	188,137.32	(66,106.27)	(500,359.39)	(806,629.80)

CFEC Revenue/Expenditure Comparisons

	FY98	FY99	FY00	FY01	FY02	FY03	FY04	FY05	FY06	FY07	FY08
◆ AKSAS Actuals Revenue	4,839,400.00	4,878,100.00	4,649,400.00	4,279,300.00	3,825,000.00	3,714,800.00	3,733,800.00	3,652,337.32	3,379,683.73	3,215,440.61	3,059,170.20
								*****Projected based on calculated 4.86% decline*****			
								<u>Items in orange area above are projections only</u>			
◆ Authorized Expenditures	3,010,100.00	2,987,300.00	2,994,700.00	3,059,000.00	3,708,100.00	3,783,400.00	3,531,100.00	3,445,800.00	3,527,400.00	3,797,400.00	3,947,400.00
Difference	1,829,300.00	1,890,800.00	1,654,700.00	1,220,300.00	116,900.00	(68,600.00)	202,700.00	106,537.32	(147,706.27)	(581,959.39)	(888,229.80)

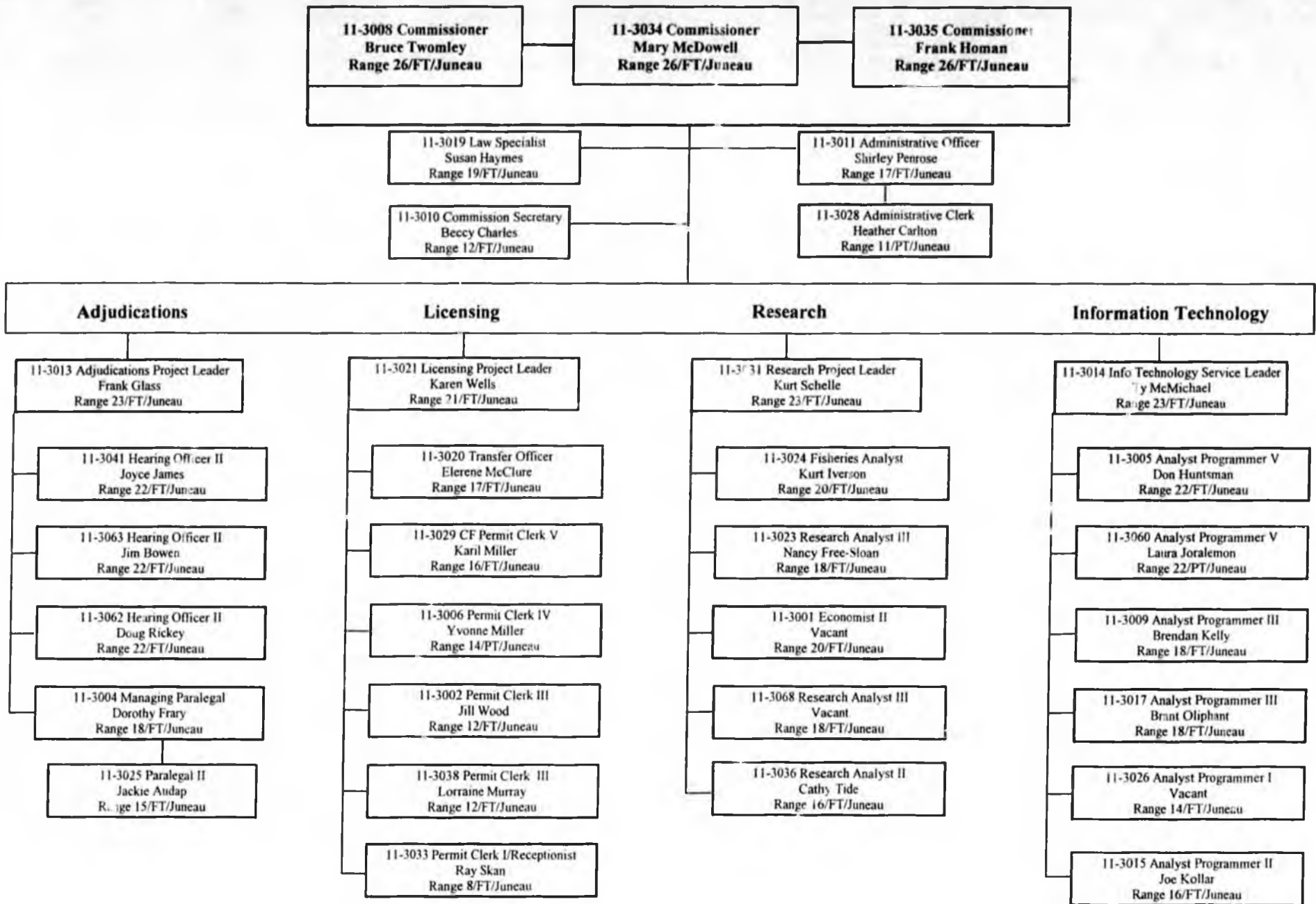
Negative amount for FY2003 was offset by staff vacancies.

Source: CFEC

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Commercial Fisheries (Limited) Entry Commission

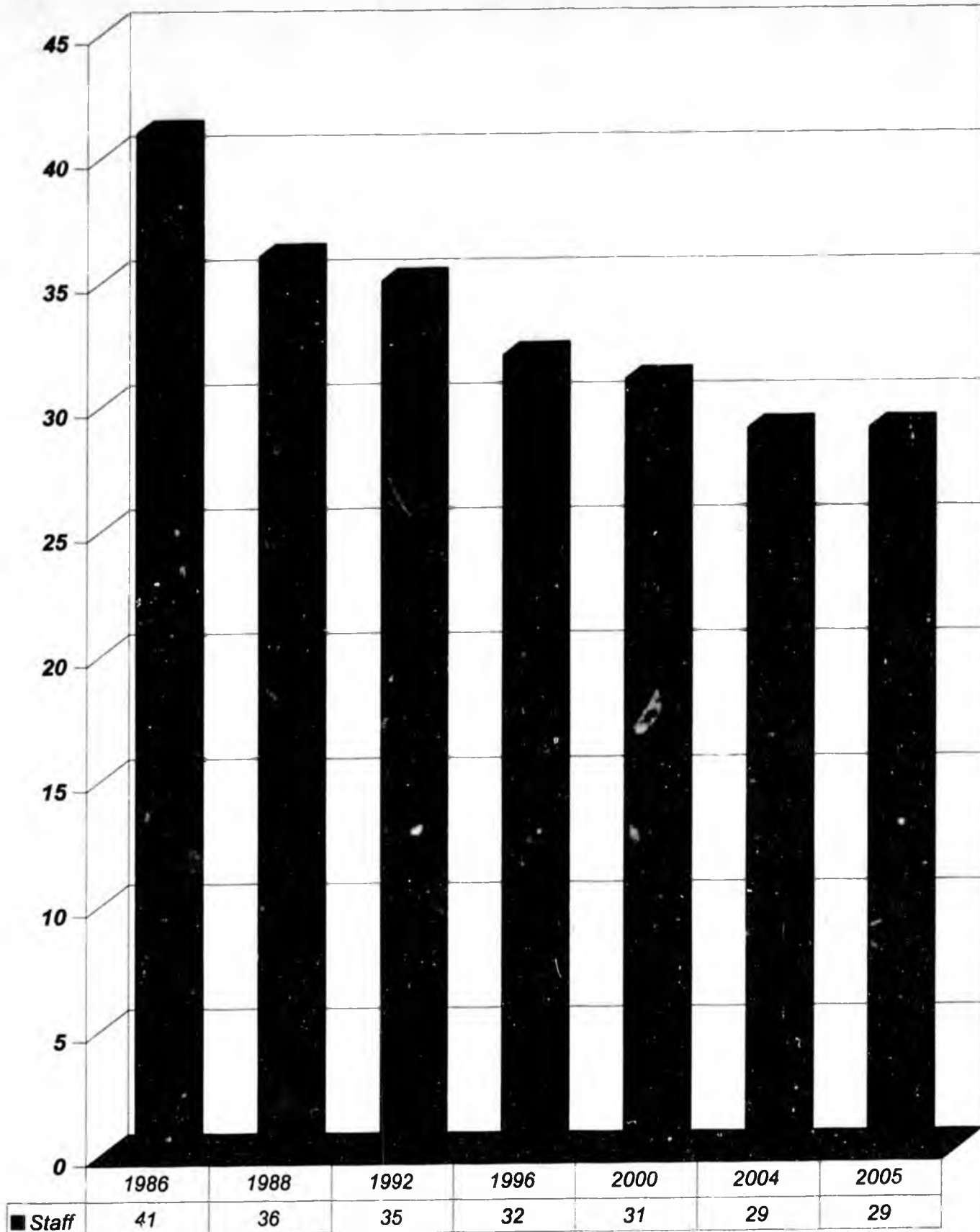
(Administratively attached to the Department of Fish and Game)



Commercial Fisheries Entry Commission
Personnel Information

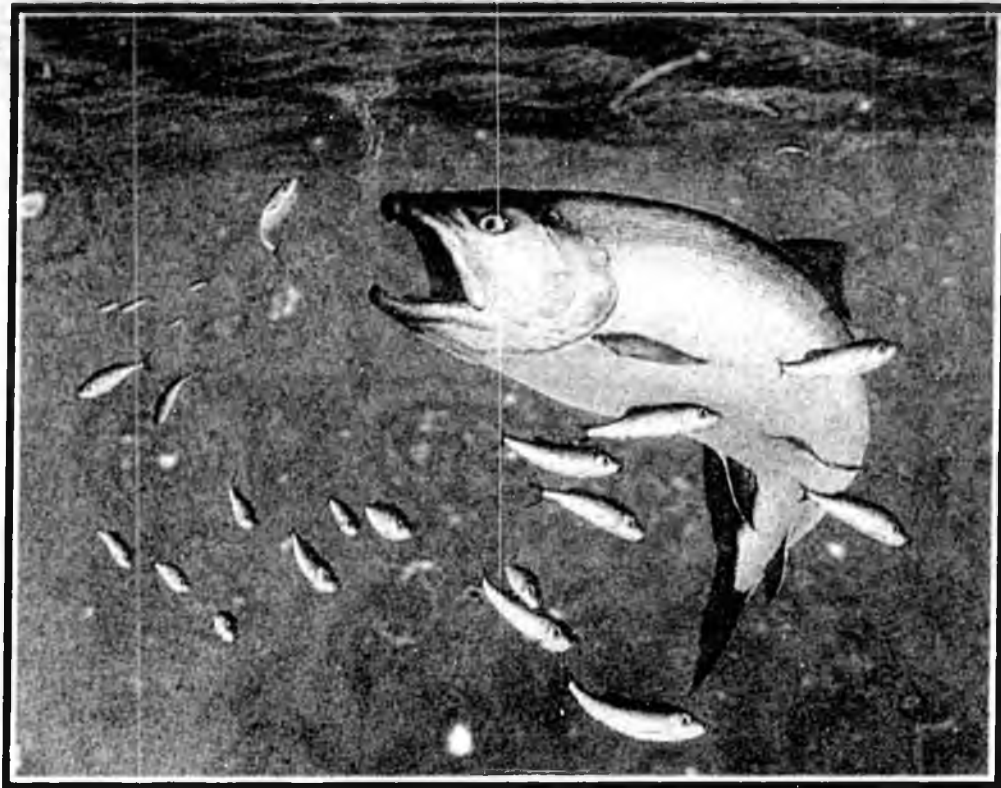
PCN	Last Name	First Name	Title	Current Range	Current Step	Salary
3001		Vacant	Economist II	20	A	\$50,700.00
3002	Wood	Jill	Permit Clerk III	12	D	\$23,553.00
3004	Frary	Dorothy	Managing Paralegal	18	J	\$54,588.00
3005	Huntsman	Don	Analyst Programmer V	22	J	\$68,796.00
3006	Miller	Yvonne	Permit Clerk IV	14	E	\$37,140.00
3008	Twomley	Bruce	Commissioner - Chairman	26	C	\$78,828.00
3009	Kelly	Brendan	Analyst Programmer III	18	B	\$45,888.00
3010	Charles	Beccy	Commission Secretary II	12	K	\$37,248.00
3011	Penrose	Shirley	Administrative Officer	17	E	\$47,460.00
3013	Glass	Frank	Adjudications Project Leader	23	M	\$82,356.00
3014	McMichael	Ty	Information Technology Svcs Ldr	23	F	\$73,752.00
3015	Kollar	Joseph	Analyst Programmer II	16	A	\$38,436.00
3017	Oliphant	Brant	Analyst Programmer III	18	E	\$50,700.00
3019	Haymes	Susan	Law Specialist II	19	J	\$58,380.00
3020	McClure	Elerene	Transfer Officer	17	K	\$52,848.00
3021	Wells	Taffy	Licensing Project Leader	21	J	\$64,236.00
3023	Free-Sloan	Nancy	Research Analyst III	18	K	\$54,588.00
3024	Iverson	Kurt	Fisheries Analyst	20	E	\$57,984.00
3025	Audap	Jackie	Paralegal II	15	E	\$41,184.00
3026		Vacant	Analyst Programmer III	18	A	\$44,316.00
3028	Carlton	Heather	Administrative Clerk	11	A	\$18,538.00
3029	Miller	Karil	Permit Clerk V	16	E	\$44,316.00
3031	Schelle	Kurt	Research Project Leader	23	M	\$85,440.00
3033	Skan	Ray	Permit Clerk I/Receptionist	8	B	\$23,892.00
3034	McDowell	Mary	Commissioner	26	C	\$78,828.00
3035	Homan	Frank	Commissioner	26	C	\$78,828.00
3036	Tide	Cathy	Research Analyst II	16	A	\$38,436.00
3038	Murray	Lorraine	Permit Clerk III	12	C	\$23,553.00
3041	James	Joyce	Hearing Officer II	22	J	\$68,796.00
3060	Joralemon	Laura	Analyst Programmer V	22	D	\$41,109.12
3062	Rickey	Doug	Hearing Officer II	22	F	\$64,236.00
3063	Bowen	James	Hearing Officer II	22	K	\$74,052.00
3068		Vacant	Research Analyst III	18	A	\$44,316.00

PFT Budgeted Staff



Percentage of FT positions lost since 1986

12.20% 14.63% 21.95% 24.39% 29.27% 29.27%



C F E C



Commercial Fisheries
Entry Commission
2003
Annual Report



STATE OF ALASKA • COMMERCIAL FISHERIES ENTRY COMMISSION

2003 ANNUAL REPORT

Dear Governor, Legislators, and Fellow Alaskans:

Pursuant to AS 16.43.980, we are pleased to submit the Commercial Fisheries Entry Commission's 2003 Annual Report.

The Alaska Legislature enacted the Limited Entry Act in 1973, soon after Alaska voters approved a constitutional amendment which authorized entry limitation. The Limited Entry Act created a system for limiting the number of participants in Alaska's commercial fisheries and established the Commercial Fisheries Entry Commission to implement and administer the program.

During 2003, the Commission adopted regulations limiting one fishery and establishing a point system for another recently limited fishery, issued over 35,000 annual fishing permits and vessel licenses, reviewed more than 1,700 transfer requests, and issued 166 adjudicatory decisions. At various stages of adjudication, 314 cases were before the Commission as of the end of 2003. Fishers have petitioned the Commission to limit 20 additional fisheries. The Commission is reviewing these fisheries and will develop proposals for public comment as required by the Limited Entry Act.

These are difficult economic times for many fishers. Working with the Legislature and Administration in 2003, the Commission continued to commit considerable time and resources into providing information concerning options, statutory tools, and protections needed to meet the challenges facing Alaska's evolving fisheries.

Additionally, the commission continues to work closely with fishermen, organizations, communities, the Alaska Department of Fish and Game, the Alaska Department of Community and Economic Development, the Commercial Fishing and Agriculture Bank, Alaska Business Development Center, Child Support Enforcement Division, Division of Emergency Services, Small Business Administration and Internal Revenue Service on issues of importance to Alaska's commercial fishing industry.

We remain dedicated to our role in promoting conservation and sustained yield management of Alaska's fish resources and economic stability among fishers and those dependent upon them for a livelihood.

Sincerely,

COMMERCIAL FISHERIES ENTRY COMMISSION

Frank Homan, Commissioner
Mary McDowell, Commissioner
Bruce Twonley, Chairman

OEO/ADA Compliance Statement

The Commission is administratively attached to the Alaska Department of Fish and Game (ADF&G).

The Alaska Department of Fish and Game administers all programs and activities free from discrimination based on race, color, national origin, age, sex, religion, marital status, pregnancy, parenthood, or disability. The department administers all programs and activities in compliance with Title VI of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973, Title II of the Americans with Disabilities Act of 1990, the Age Discrimination Act of 1975, and Title IX of the Education Amendments of 1972.

If you believe you have been discriminated against in any program, activity, or facility, or if you desire further information please write to ADF&G, P.O. Box 25526, Juneau, AK 99802-5526; U.S. Fish and Wildlife Service, 4040 N. Fairfield Drive, Suite 300 Webb, Arlington, VA 22203 or O.E.O., U.S. Department of the Interior, Washington DC 20240.

For information on alternative formats for this and other department publications, please contact the department ADA Coordinator at (voice) 907-465-4120, (TDD) 907-465-3646, or (FAX) 907-465-2440.

Commercial Fisheries Entry Commission



**State of Alaska
Governor**

Frank H. Murkowski

Commissioners

Frank Homan, Commissioner
Mary McDowell, Commissioner
Bruce Twomley, Chairman

Adjudications

Frank Glass, Project Leader

**Information Technology
Services**

Ty McMichael, Project Leader

Licensing

Karen Wells, Project Leader

Research

Kurt Schelle, Project Leader

Office Location

Commercial Fisheries Entry
Commission (CFEC)
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8800 Glacier Highway #109
Juneau, Alaska

Mailing Address

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Juneau, AK 99801

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World wide Web Server

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Introduction

The commercial fishing industry is a major component of Alaska's state-wide economy and the economic backbone of Alaska's coastal communities. Alaska's seafood industry is the state's largest source of private sector jobs. The Commercial Fisheries Entry Commission plays an essential management role in developing and sustaining Alaska's billion dollar fishing industry.

In 1972, Alaskans voted to amend Article 8, Section 15 of Alaska's constitution to allow limited entry of Alaska's fisheries. With this new authority, the Alaska Legislature approved the Limited Entry Act in 1973. The Act created the limited entry program and established the Alaska Commercial Fisheries Entry Commission (Commission) as an exempt, independent, quasi-judicial agency to carry out the mandate of the people and legislature.

The Limited Entry Act directs the Commission to promote the conservation and sustained yield management of Alaska's fishery resources and the economic health and stability of the fishing industry by regulating entry into the state's commercial fisheries.

To meet these responsibilities, the Commission organizes its staff into four sections: Adjudications, Research, Licensing, and Information Technology (see the chart: Organization by Agency Function, page 4).

The Commission engages in the following activities mandated by law (AS 16.43):

- Establishes maximum numbers of entry permits for fisheries to be limited and implements application processes and point systems to rank eligible applicants;
- Processes entry permit applications and adjudicates claims not resolved at initial classification;
- Issues annual permits in limited and unlimited fisheries, and issues annual licenses for all vessels as required to legally participate in the State's commercial and guided sport fisheries;
- Processes requests for emergency and permanent transfers of entry and interim-use permits and compiles data of all such transfers.

**THE COMMERCIAL
FISHERIES ENTRY
COMMISSION
PLAYS AN
ESSENTIAL
MANAGEMENT ROLE
IN DEVELOPING
AND SUSTAINING
ALASKA'S BILLION-
DOLLAR FISHING
INDUSTRY.**

**ALASKANS MUST
ENSURE OUR
FISHERIES ARE
DEVELOPED WISELY
AND SUSTAINED
THROUGH SOUND
MANAGEMENT.**

- Enforces provisions of the Limited Entry Act by regulating permit transfer activities;
- Participates in the research and development of comprehensive fisheries economic data;
- Works with other state and federal management agencies to develop, analyze, and coordinate fisheries policies;
- Assesses demerit points against permit holders for convictions of violations of commercial fishing laws in the salmon fisheries; and
- Issues vessel permits in fisheries under vessel moratoria.

Between 1973 and the end of 2003, the Commission limited entry in 67 fisheries. The Commission has received petitions for the limitation of 20 additional fisheries.

The percentage of limited entry permits held by Alaska residents has remained relatively stable. Thirty years after enactment of Alaska's Limited Entry Act, Alaskans hold almost 77% of all limited entry permits. At the end of 2003, Alaskans held 11,324 limited entry permits, with rural Alaskans holding more than half of that number.

In 30 years of limited entry, Alaskan residents have gained a total of 31 permits from nonresidents as a net result of permit transfers.

The Commission issued nearly 36,000 permanent permits, interim-use



Courtesy of Alaska Seafood Marketing Institute

permits, and vessel licenses for the 2003 license year and reviewed more than 1,700 permit transfer requests. In fiscal year (FY) 2003, the Commission collected approximately 3.7 million dollars in revenues for the state.

The economic challenges facing the salmon industry have generated discussion about potential cost efficiencies in the fisheries, including consideration of options for reducing fleet size. The Commission continues to participate in this ongoing discussion with the public and policy makers, and to provide data to assist and inform the exploration of ideas. See *Decisions and Activities Section* for more information.

By working with other state and federal agencies throughout 2003, the Commission continued to help Alaska fishers protect their fishing privileges.

In addition to working with policy makers, agencies, fisheries organizations, and individual fishers on the many current, pressing issues facing the fishing industry, the Commission continues to perform its primary functions of limiting fisheries, licensing fishers and vessels, adjudicating claims, performing critical research and providing data to the public and agencies.

In August of 2003, Commissioner Marlene Johnson retired after two terms on the Commission and Governor Frank Murkowski appointed Frank Homan to the Commission. Having served as a Commissioner from 1991-1996, Mr. Homan's past experience allowed him to step directly into the duties of Commissioner when he returned to the Commission in September.

Major decisions and activities of the Commission in 2003 are outlined in this report. Prior years' activities, events, and decisions that affected the Commission's operations are highlighted in the appendices.

Alaska's fishing industry is vital to the state's economy and provides an important food source to the world. Alaskans must ensure our fisheries are developed wisely and sustained through sound management. We at the Commission continue our commitment to fulfill our statutory role in achieving this goal.

Organization by Agency Function

Commercial Fisheries Entry Commission

Commissioners

Frank Homan, Commissioner
 Mary McDowell, Commissioner
 Bruce Twomley, Chairman

Personnel, Payroll, Travel,
 Accounting, Purchasing, and
 Property Supply Management,
 Budget Development

Adjudications	Licensing	Research	Information Technology Services
<p>Frank Glass Project Leader</p> <p>Application Processing and Classification</p> <p>Administrative Hearings</p> <p>Case Management</p> <p>Decisions on Claims</p> <p>Preparation of Official Record in Judicial Appeals</p> <p>Residency and Fraud Investigations</p>	<p>Karen Wells Project Leader</p> <p>Entry and Interim-use Permit Renewal</p> <p>Vessel Licensing</p> <p>Permanent and Emergency Transfers</p> <p>Permanent File Management</p> <p>Revenue Accounting</p>	<p>Kurt Schelle Project Leader</p> <p>Fisheries Data Collection</p> <p>Economic Profiles</p> <p>New Limitations Research</p> <p>Priority Hardship ("Point" System) Development and Testing</p> <p>Optimum Number Research</p>	<p>Ily McMichael Project Leader</p> <p>Licensing Systems</p> <p>Fisheries Database</p> <p>Data Development for Adjudications and Research</p>

Decisions and Activities

LIMITATION OF BERING SEA HAIR CRAB FISHERY

The Commission received petitions to limit entry into the Bering Sea hair crab fishery in December 1995 and January 1996. Research into patterns of participation indicated problems with limiting the fishery under the traditional limited entry program. As a result, in 1996, the legislature passed a bill establishing a temporary vessel-based moratorium on new vessels in the Bering Sea hair crab fishery that would expire on June 30, 2000. In the moratorium bill, the legislature also directed the Commission to draft legislation to submit to the legislature that would give the Commission authority to implement a permanent vessel based limited entry system for fisheries if such a program would fulfill the purposes of the limited entry.

As directed, the Commission drafted vessel permit legislation. A bill to establish a vessel permit program was introduced in 1999 but did not pass. Because legislation had not passed and the moratorium was set to expire, the legislature in 2000 extended the moratorium until July 1, 2003. Legislation to establish a vessel permit program was again introduced in 2002. During the legislative process, the legislation was amended to allow the Commission to use a vessel-based limited entry system only in the Bering Sea hair crab and star scallop fisheries. Additionally, a provision was added that sunsets the law on December 30, 2008.

After considering both the traditional person-based limited entry system and the vessel-based system, on February 15, 2003, the Commission proposed to limit entry into the Bering Sea hair crab fishery under a vessel-based limited entry program. The proposed regulations included provisions to establish qualification for vessel permits, transfer and substitution procedures, annual fees, annual renewal process, fishing capacity restrictions, and to prevent concentration of ownership of vessel permits. The Commission proposed that qualifying vessels be restricted to the maximum overall length of the qualifying vessel, regardless of any later vessel substitution or transfer of the vessel entry permit.

The Commission held two public hearings by teleconference from Juneau. The public comment period for written and oral comments lasted until April 2, 2003.

On June 5, 2003, the Commission adopted regulations to limit entry into the Bering Sea hair crab fishery under the proposed vessel-based permit system. The regulations became effective on September 21, 2003. An application period will be held from January 2, 2004, to April 15, 2004.

POINT SYSTEM FOR THE KODIAK *BAIRDI* TANNER CRAB POT FISHERY

On October 22, 2002, the Commission adopted regulations limiting entry into the Kodiak *bairdi* Tanner crab pot fishery.

Under AS 16.43, the Commission must develop and use a hardship ranking system to determine which of the eligible applicants will receive a limited entry permit in a newly limited fishery. This "point system" is necessary because the number of eligible applicants typically exceeds the maximum number established at the time of limitation.



Courtesy of Alaska Seafood Marketing Institute

Under the law, a point system must be based upon the two broad concepts of past participation in the fishery and economic dependence on the fishery. The statute directs the Commission to consider a number of different criteria when developing a point system for a fishery.

The Commission proposed an application period and point system regulations for the Kodiak *bandi* Tanner crab pot fishery on September 9, 2003.

The Commission held a public hearing in Kodiak, Alaska and a second hearing by teleconference, and the Commission also invited written and oral comments. The public comment period ended on October 27, 2003. On November 6, 2003, the Commission adopted final point system and application period regulations. The regulations will become effective on February 11, 2004. The Commission will conduct an application period for the Kodiak *bandi* Tanner crab pot fishery to begin on March 1, 2004, and end on September 1, 2004.

OTHER ISSUES AND DECISIONS

During the 2003 legislative session, the legislature passed House Concurrent Resolution 6 extending the Joint Legislative Salmon Industry Task Force until the end of the 2004 legislative session. The Task Force was instructed to submit a final report of its findings and proposed industry and legislative changes to the legislature by January 21, 2004. CFEC was called upon many times throughout the rest of the year to provide information and to participate in discussions to assist the task force and its subcommittees in formulating recommendations for legislative proposals.

In February of 2003, Chairman Twomley addressed the **Salmon for Success Summit in Juneau** (sponsored by the Central Council of Hingit and Haikla Indians of Alaska) on the status of limited entry permits in Southeast Alaska Native Communities.

Chairman Twomley served on the advisory panel for **An Analysis of Options to Restructure the Bristol Bay Salmon Fishery**, an independent study funded and published by the Bristol Bay Economic Development Corporation in March of 2003.

In August of 2003, at the request of former Governor Walter J. Hickel and the Institute of the North, Chairman Twomley addressed the first Alaska meeting of the International Association for the Study of Common Property (IASCP), and his written account, *License Limitation in Alaska's Commercial Fisheries*, has been published by IASCP.

Chairman Twomley contributed to and helped edit **Charting New Courses for Alaska Salmon Fisheries: The Legal Waters**, published by the University of Alaska Marine Advisory Program in November of 2003.

Chairman Twomley (appointed by the Treasury Secretary) continues to serve on the National Taxpayer Advocacy Panel. In October, the panel adopted Chairman Twomley's proposal to ensure taxpayers have their full statutory protection from seizures and forced sales that would cause significant hardship and recommended the IRS implement the Chairman's proposal. The panel is waiting for IRS' response.



Courtesy of Alaska Seafood Marketing Institute

Adjudications

OVERVIEW

The primary purpose of Commission Adjudications Section is to evaluate, classify and adjudicate applications for limited entry permits. Entry permit applicants are classified in a system that measures each applicant's past participation and economic dependence on the fishery. Applicants are then ranked in relation to the classifications of all other applicants. Entry permits are then issued at successively lower classification levels until the established maximum number of permits has been issued for that fishery.

Adjudication functions are performed by two paralegals, four hearing officers and the Commissioners. The paralegals evaluate entry permit applications and make the initial determination on accepting, denying and classifying them. An applicant may challenge the denial or classification of an entry permit application by requesting a hearing. Commission hearing officers conduct administrative hearings and issue decisions based on the record.

Hearings may be requested also if the Commission's Licensing Section denies requests for the emergency transfer or the permanent transfer of entry permits. Emergency transfer hearings are held and decided by paralegals. Permanent transfer hearings are held and decided by hearing officers.

The Commissioners review each paralegal and hearing officer decision and may order further review and hearings on their own motion or upon the request of an affected party, and may subsequently modify, reverse or affirm the decisions.

Commission hearing officers also preside over hearings arising from enforcement (notice to show cause) proceedings, where the Commission may impose fines, or revoke or suspend the permits of those who attempt to mislead the Commission with false information. These hearings are held in the presence of the Commissioners.

ADMINISTRATIVE PROCEEDINGS AND DECISIONS

The Adjudication staff issued 85 decisions in 2003: 48 on permit applications, 19 on permit transfers, 14 on notices to show cause and 4 on miscellaneous matters. At the end of the year, 147 entry permit application cases were pending before hearing officers.

The Commissioners adjudicated a total of 81 cases during 2003: 43 on permit applications, 18 on emergency transfers, 15 on notices to show cause, 1 on an administrative fine and 4 on miscellaneous matters. At the end of the year, 167 entry permit application cases were pending before the Commissioners.

By the end of 2003, Commissioners and hearing officers made substantial progress through the Commission's adjudication caseload. Looking back to 1990, as the result of the *Uassillo* settlement (authorizing hundreds of new applications in the salmon fisheries) and a series of Alaska Supreme Court cases during the 1980's, the Commission's caseload had risen to nearly 900 cases. Additionally, since 1990, the Commission has been required by statute to limit 26 additional fisheries generating thousands of new applications for entry permits. From 1990 through 2003, the Commission issued almost 1,700 final Commission decisions thereby deciding cases at a rate faster than applicants filed new appeals and reducing its caseload to 314.

JUDICIAL RULINGS AND APPEALS

In *State, CFEC v. Carlson*, 65 P.3d 851 (Alaska 2003), the Alaska Supreme Court issued its third decision in the class action (originally filed in 1984) challenging Alaska's higher commercial fishing license and permit fees charged to nonresidents. Previously, the court held that nonresidents could be charged higher fees only to recoup the equivalent of the per capita fishery conservation and management costs borne only by residents. In this most recent decision, the court made several determinations about what could and could not be included in the calculation of fishery conservation and management costs. The court accepted the Superior Court's figures for

the direct and indirect costs of fisheries management as derived from the budgets of agencies such as the CFEC, the Commercial Fisheries Division of ADF&G, and the Department of Public Safety. It reversed in part the Superior Court's outright exclusion of all capital costs. The Supreme Court said that capital costs directly supporting the commercial fishing industry are to be counted, but other capital costs are not. The court declined to include the cost of general government expenditures that are tied to increases in population due to commercial fishing. The court allowed inclusion of the state's subsidy of the fish hatchery loan fund. The Supreme Court remanded the case back to the Superior Court for specific determinations on the capital costs and the amount of the fishery loan fund subsidy.

Also during 2003, the United States Supreme Court declined to hear an appeal from the *Carlson* class members arguing that under the Commerce Clause of the U.S. Constitution, they should be refunded the entire differential between resident and nonresident fees.

In *State v. Dupier*, 74 P3d 922 (Alaska App. 2003), the Alaska Court of Appeals held that the state could not require interim-use permits for the halibut and sablefish fisheries that occurred entirely in the exclusive economic zone (EEZ) and must issue landing permits instead for landing these fishery resources in Alaska. (The Alaska Supreme Court granted the state's Petition for Hearing in this case and will issue the final decision on the matter.)



Courtesy of Alaska Seafood Marketing Institute



Courtesy of Alaska Seafood Marketing Institute

Licensing

OVERVIEW

The Commission's Licensing Section is responsible for issuance of annual permit and vessel licenses required for participation in Alaska's commercial and guided sport fisheries. The section provides fishers with renewal forms, permits, and vessel licenses in a timely manner to avoid lost fishing time. Additionally, the Licensing Section handles replacement of lost licenses, tracking of vessel ownership changes, monitoring salmon net area registrations, and issuance of emergency and permanent transfers.

The Licensing Section serves as a source of information and referrals to commercial fishers about laws and regulations affecting the fishing industry. In addition to keeping up to date regarding licensing requirements and actions of the Commission itself, licensing staff maintain contact with ADF&G, Division of Investments, National Marine Fisheries Service and other agencies in order to keep track of changes in relevant laws and regulations. Some of these changes include actions by the Commission and the legislature to bring fisheries under entry limitation or moratoria; implementation of new types of licensing mechanisms; adoption of regulatory changes by the Board of Fisheries; and actions by federal agencies to create or revise moratoria or restricted access programs such as License Limitation Program (LLP), Individual Fishing Quota (IFQ) and Community Development Quota (CDQ).

While keeping up with additional licensing responsibilities associated with new regulatory developments, licensing staff must also respond to thousands of information requests annually with current information. In coordination with the Commission's Information Technology Services section, the Licensing Section is continually streamlining procedures, automating processing wherever possible and looking for innovative ways to efficiently improve.

THE LICENSING SECTION SERVES AS A SOURCE OF INFORMATION AND REFERRALS TO COMMERCIAL FISHERS ABOUT LAWS AND REGULATIONS AFFECTING THE FISHING INDUSTRY.

As of the end of 2003, the total number of permits and vessel licenses issued decreased slightly from the 2002 season. This continues the downward trend in recent years. The decrease may be partially attributed to fisheries in which the annual licensing requirements have been waived due to season-long closures and nontransferable permits lapsing due to nonpayment for a two-year period. The number of permits issued is also impacted each time a new fishery is limited and applications for permanent permits are adjudicated and denied.

NEW FEE STRUCTURE

During the 2001 legislative session, the Alaska Legislature passed a bill revising the fee structure for annual renewal of commercial fishing limited entry and interim-use permits, effective for the 2002 season. The new fee structure was adopted in response to a recent court decision in the *Carlson v. State* lawsuit, a class action by nonresident fishermen challenging Alaska's law that set annual nonresident commercial fishing fees at three times the resident fees.

In 2002 and 2003, each permit in a given fee class was assessed an annual base fee. Nonresident permits were assessed an additional amount calculated according to a formula provided by a court ruling. For 2003 permits, that amount was \$120.

The new law also amended C.F.C.'s reduced fee provision that allows qualified low-income fishermen to pay reduced annual fees for their permits. In the past, the reduced fee has been a flat \$15 for resident and \$45 for nonresident permits. Beginning with the 2002 licensing year, the reduced fee is one-half (50%) of the fee the holder—resident or nonresident—would otherwise pay.