

SENATE BILL NO. 211

IN THE LEGISLATURE OF THE STATE OF ALASKA

THIRTIETH LEGISLATURE - SECOND SESSION

BY SENATOR STEVENS

Introduced: 2/19/18

Referred:

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to the temporary transfer of limited entry commercial fishing permits;
2 and providing for an effective date."

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

4 * **Section 1.** The uncodified law of the State of Alaska is amended by adding a new section
5 to read:

6 SHORT TITLE. This Act may be known as the Alaska Master Transfer Act.

7 * **Sec. 2.** AS 16.05.253(a) is amended to read:

8 (a) The Board of Fisheries may require a person who holds a limited entry
9 permit or an interim-use permit under AS 16.43 **or who is a temporary transferee**
10 **under AS 16.43.180 or 16.43.185** to be physically present at a beach or riparian
11 fishing site during the operation of net gear or other stationary fishing gear at the site,
12 except when the permit holder **or temporary transferee** is at or traveling to or from
13 the location of

14 (1) a sale of fish caught in the gear; or

1 (2) other stationary gear of the permit holder **or temporary**
 2 **transferee.**

3 * **Sec. 3.** AS 16.05.253(a), as amended by sec. 2 of this Act, is amended to read:

4 (a) The Board of Fisheries may require a person who holds a limited entry
 5 permit or an interim-use permit under AS 16.43 [OR WHO IS A TEMPORARY
 6 TRANSFEREE UNDER AS 16.43.180 OR 16.43.185] to be physically present at a
 7 beach or riparian fishing site during the operation of net gear or other stationary
 8 fishing gear at the site, except when the permit holder [OR TEMPORARY
 9 TRANSFEREE] is at or traveling to or from the location of

10 (1) a sale of fish caught in the gear; or

11 (2) other stationary gear of the permit holder [OR TEMPORARY
 12 TRANSFEREE].

13 * **Sec. 4.** AS 16.05.480(a) is amended to read:

14 (a) A person engaged in commercial fishing shall obtain a commercial fishing
 15 license and shall retain the license in possession and readily available for inspection
 16 during fishing operations. An entry permit or interim-use permit entitles the holder, **or**
 17 **person to whom the entry permit is temporarily transferred under AS 16.43.180**
 18 **or 16.43.185,** to participate as a gear operator in the fishery for which the permit is
 19 issued and to participate as a crewmember in any fishery. **A temporary transferee**
 20 **under AS 16.43.185 shall obtain a crewmember license to participate as a**
 21 **crewmember for the portion of a fishing season in which the person is not fishing**
 22 **as a temporary transferee.** A crewmember fishing license is not transferable and
 23 entitles the holder to participate as a crewmember in any fishery.

24 * **Sec. 5.** AS 16.05.480(a), as amended by sec. 4 of this Act, is amended to read:

25 (a) A person engaged in commercial fishing shall obtain a commercial fishing
 26 license and shall retain the license in possession and readily available for inspection
 27 during fishing operations. An entry permit or interim-use permit entitles the holder [,
 28 OR PERSON TO WHOM THE ENTRY PERMIT IS TEMPORARILY
 29 TRANSFERRED UNDER AS 16.43.180 OR 16.43.185,] to participate as a gear
 30 operator in the fishery for which the permit is issued and to participate as a
 31 crewmember in any fishery. [A TEMPORARY TRANSFEREE UNDER

1 AS 16.43.185 SHALL OBTAIN A CREWMEMBER LICENSE TO PARTICIPATE
 2 AS A CREWMEMBER FOR THE PORTION OF A FISHING SEASON IN WHICH
 3 THE PERSON IS NOT FISHING AS A TEMPORARY TRANSFEREE.] A
 4 crewmember fishing license is not transferable and entitles the holder to participate as
 5 a crewmember in any fishery.

6 * **Sec. 6.** AS 16.05.480(g) is amended to read:

7 (g) A resident engaged in commercial fishing who is 11 years of age or older
 8 and who does not hold an entry permit or an interim-use permit **or who is not fishing**
 9 **as a temporary transferee under AS 16.43.180 or 16.43.185** shall, except as
 10 provided in (i) of this section, pay a fee of \$60 for an annual crewmember fishing
 11 license. A resident engaged in commercial fishing who is less than 11 years of age and
 12 who does not hold an entry permit or an interim-use permit **or who is not fishing as a**
 13 **temporary transferee under AS 16.43.180 or 16.43.185** shall pay an annual fee of
 14 \$5.

15 * **Sec. 7.** AS 16.05.480(g), as amended by sec. 6 of this Act, is amended to read:

16 (g) A resident engaged in commercial fishing who is 11 years of age or older
 17 and who does not hold an entry permit or an interim-use permit [OR WHO IS NOT
 18 FISHING AS A TEMPORARY TRANSFEREE UNDER AS 16.43.180 OR
 19 16.43.185] shall, except as provided in (i) of this section, pay a fee of \$60 for an
 20 annual crewmember fishing license. A resident engaged in commercial fishing who is
 21 less than 11 years of age and who does not hold an entry permit or an interim-use
 22 permit [OR WHO IS NOT FISHING AS A TEMPORARY TRANSFEREE UNDER
 23 AS 16.43.180 OR 16.43.185] shall pay an annual fee of \$5.

24 * **Sec. 8.** AS 16.05.480(h) is amended to read:

25 (h) A nonresident engaged in commercial fishing who is 11 years of age or
 26 older and who does not hold an entry permit or an interim-use permit **or who is not**
 27 **fishing as a temporary transferee under AS 16.43.180 or 16.43.185** shall, except as
 28 provided in (i) of this section, pay a base fee of \$60 for an annual crewmember fishing
 29 license, plus an amount, established by the department by regulation, that is as close as
 30 is practicable to the maximum allowed by law. A nonresident engaged in commercial
 31 fishing who is less than 11 years of age and who does not hold an entry permit or an

1 interim-use permit **or who is not fishing as a temporary transferee under**
 2 **AS 16.43.180 or 16.43.185** shall pay an annual base fee of \$5 plus an amount,
 3 established by the department by regulation, that is as close as is practicable to the
 4 maximum allowed by law.

5 * **Sec. 9.** AS 16.05.480(h), as amended by sec. 8 of this Act, is amended to read:

6 (h) A nonresident engaged in commercial fishing who is 11 years of age or
 7 older and who does not hold an entry permit or an interim-use permit [OR WHO IS
 8 NOT FISHING AS A TEMPORARY TRANSFEREE UNDER AS 16.43.180 OR
 9 16.43.185] shall, except as provided in (i) of this section, pay a base fee of \$60 for an
 10 annual crewmember fishing license, plus an amount, established by the department by
 11 regulation, that is as close as is practicable to the maximum allowed by law. A
 12 nonresident engaged in commercial fishing who is less than 11 years of age and who
 13 does not hold an entry permit or an interim-use permit [OR WHO IS NOT FISHING
 14 AS A TEMPORARY TRANSFEREE UNDER AS 16.43.180 OR 16.43.185] shall pay
 15 an annual base fee of \$5 plus an amount, established by the department by regulation,
 16 that is as close as is practicable to the maximum allowed by law.

17 * **Sec. 10.** AS 16.05.480(i) is amended to read:

18 (i) Notwithstanding (g) and (h) of this section, a resident or nonresident
 19 engaged in commercial fishing who does not hold an entry permit or an interim-use
 20 permit **or who is not fishing as a temporary transferee under AS 16.43.180 or**
 21 **16.43.185** may obtain one seven-day crewmember fishing license under this
 22 subsection annually. A person who obtains a seven-day license is not eligible for
 23 another seven-day license in the same license year; however, if a person who obtains a
 24 seven-day license pays the full fee for an annual crewmember fishing license under (g)
 25 or (h) of this section during the same license year, the person is entitled to receive a
 26 refund of the fee for the seven-day license. The department shall adopt regulations
 27 establishing a refund procedure. During the period for which the seven-day license is
 28 valid, a person who holds a seven-day license may not engage in fishing with a rod
 29 and reel while present on a commercial fishing vessel. The fee for a seven-day license
 30 is \$30.

31 * **Sec. 11.** AS 16.05.480(i), as amended by sec. 10 of this Act, is amended to read:

1 (i) Notwithstanding (g) and (h) of this section, a resident or nonresident
 2 engaged in commercial fishing who does not hold an entry permit or an interim-use
 3 permit [OR WHO IS NOT FISHING AS A TEMPORARY TRANSFEREE UNDER
 4 AS 16.43.180 OR 16.43.185] may obtain one seven-day crewmember fishing license
 5 under this subsection annually. A person who obtains a seven-day license is not
 6 eligible for another seven-day license in the same license year; however, if a person
 7 who obtains a seven-day license pays the full fee for an annual crewmember fishing
 8 license under (g) or (h) of this section during the same license year, the person is
 9 entitled to receive a refund of the fee for the seven-day license. The department shall
 10 adopt regulations establishing a refund procedure. During the period for which the
 11 seven-day license is valid, a person who holds a seven-day license may not engage in
 12 fishing with a rod and reel while present on a commercial fishing vessel. The fee for a
 13 seven-day license is \$30.

14 * **Sec. 12.** AS 16.05.480(j) is amended to read:

15 (j) In this section, "commercial fishing license" includes an entry permit and
 16 an interim-use permit issued under AS 16.43, **an entry permit temporarily**
 17 **transferred under AS 16.43.180 or 16.43.185,** and a crewmember fishing license.

18 * **Sec. 13.** AS 16.05.480(j), as amended by sec. 12 of this Act, is amended to read:

19 (j) In this section, "commercial fishing license" includes an entry permit and
 20 an interim-use permit issued under AS 16.43 [, AN ENTRY PERMIT
 21 TEMPORARILY TRANSFERRED UNDER AS 16.43.180 OR 16.43.185,] and a
 22 crewmember fishing license.

23 * **Sec. 14.** AS 16.05.675(a) is amended to read:

24 (a) A person who does not hold a limited entry permit or interim-use permit
 25 issued under AS 16.43 or a fish transporter permit issued under AS 16.05.671 **or who**
 26 **is not a temporary transferee under AS 16.43.180 or 16.43.185** may not deliver or
 27 land fish in the state unless the person

28 (1) holds a valid federal permit to operate commercial fishing gear in
 29 the fishery conservation zone; and

30 (2) has been issued a landing permit by the Alaska Commercial
 31 Fisheries Entry Commission.

1 * **Sec. 15.** AS 16.05.675(a), as amended by sec. 14 of this Act, is amended to read:

2 (a) A person who does not hold a limited entry permit or interim-use permit
3 issued under AS 16.43 or a fish transporter permit issued under AS 16.05.671 [OR
4 WHO IS NOT A TEMPORARY TRANSFEREE UNDER AS 16.43.180 OR
5 16.43.185] may not deliver or land fish in the state unless the person

6 (1) holds a valid federal permit to operate commercial fishing gear in
7 the fishery conservation zone; and

8 (2) has been issued a landing permit by the Alaska Commercial
9 Fisheries Entry Commission.

10 * **Sec. 16.** AS 16.05.680(a) is amended to read:

11 (a) It is unlawful for a person, or an agent or representative of the person,

12 (1) to employ, in the harvesting, transporting, or purchasing of fish, a
13 fisherman who [NEITHER] is **not** licensed under AS 16.05.480, **who** [NOR] is **not**
14 the holder of a permit issued under AS 16.43, **or who is not a temporary transferee**
15 **under AS 16.43.180 or 16.43.185;**

16 (2) to purchase fish from a person who is not

17 (A) the holder of a limited entry, interim-use, or landing permit
18 issued under AS 16.43 **or who is not a temporary transferee under**
19 **AS 16.43.180 or 16.43.185;**

20 (B) a fish transporter who is selling the fish as the agent of the
21 holder of a limited entry, interim-use, or landing permit issued under AS 16.43
22 **or who is not a temporary transferee under AS 16.43.180 or 16.43.185;** or

23 (C) exempt under AS 16.05.660; or

24 (3) to purchase fish from an association other than one to which a
25 permit has been issued under AS 16.05.662.

26 * **Sec. 17.** AS 16.05.680(a), as amended by sec. 16 of this Act, is amended to read:

27 (a) It is unlawful for a person, or an agent or representative of the person,

28 (1) to employ, in the harvesting, transporting, or purchasing of fish, a
29 fisherman who is not licensed under AS 16.05.480 **or** [,] who is not the holder of a
30 permit issued under AS 16.43 [, OR WHO IS NOT A TEMPORARY TRANSFEREE
31 UNDER AS 16.43.180 OR 16.43.185];

1 (2) to purchase fish from a person who is not

2 (A) the holder of a limited entry, interim-use, or landing permit
3 issued under AS 16.43 [OR WHO IS NOT A TEMPORARY TRANSFEREE
4 UNDER AS 16.43.180 OR 16.43.185];

5 (B) a fish transporter who is selling the fish as the agent of the
6 holder of a limited entry, interim-use, or landing permit issued under AS 16.43
7 [OR WHO IS NOT A TEMPORARY TRANSFEREE UNDER AS 16.43.180
8 OR 16.43.185]; or

9 (C) exempt under AS 16.05.660; or

10 (3) to purchase fish from an association other than one to which a
11 permit has been issued under AS 16.05.662.

12 * **Sec. 18.** AS 16.05.723(b) is amended to read:

13 (b) If a person is convicted under this section of one of the following offenses,
14 then, in addition to the penalties imposed under (a) of this section, the court may
15 impose a fine equal to the gross value of the fish found on board or at the fishing site
16 at the time of the violation:

17 (1) commercial fishing in closed waters;

18 (2) commercial fishing during a closed period or season;

19 (3) commercial fishing with unlawful gear, including a net, pot, tackle,
20 or other device designed or employed to take fish commercially; or

21 (4) commercial fishing without a limited entry permit holder **or**
22 **temporary transferee under AS 16.43.180 or 16.43.185** on board if the holder **or**
23 **temporary transferee** is required by law or regulation to be present.

24 * **Sec. 19.** AS 16.05.723(b), as amended by sec. 18 of this Act, is amended to read:

25 (b) If a person is convicted under this section of one of the following offenses,
26 then, in addition to the penalties imposed under (a) of this section, the court may
27 impose a fine equal to the gross value of the fish found on board or at the fishing site
28 at the time of the violation:

29 (1) commercial fishing in closed waters;

30 (2) commercial fishing during a closed period or season;

31 (3) commercial fishing with unlawful gear, including a net, pot, tackle,

1 or other device designed or employed to take fish commercially; or

2 (4) commercial fishing without a limited entry permit holder [OR
3 TEMPORARY TRANSFEREE UNDER AS 16.43.180 OR 16.43.185] on board if the
4 holder [OR TEMPORARY TRANSFEREE] is required by law or regulation to be
5 present.

6 * **Sec. 20.** AS 16.10.265(a) is amended to read:

7 (a) An individual may not, while acting as a fish processor or primary fish
8 buyer, or as an agent, director, officer, member, or employee of a fish processor, of a
9 primary fish buyer, or of a cooperative corporation organized under AS 10.15,
10 intentionally or knowingly make an original purchase of fish from a seller who [DOES
11 NOT HOLD]

12 (1) **does not hold** a landing permit, an entry permit, or an interim-use
13 permit; [OR]

14 (2) **does not hold** a fish transporter permit under AS 16.05.671; **or**

15 **(3) is not a temporary transferee under AS 16.43.180 or 16.43.185.**

16 * **Sec. 21.** AS 16.10.267(a) is amended to read:

17 (a) When a fisherman sells fish, the fisherman shall possess

18 (1) a landing permit, entry permit, or interim-use permit issued, [OR]
19 transferred [TO THE FISHERMAN] under AS 16.43, **or temporarily transferred**
20 **under AS 16.43.180 or 16.43.185**, or other document authorized by regulation to be
21 used in place of an entry permit or interim-use permit; and

22 (2) an identification card that has been issued to the fisherman by a
23 state or federal agency or other organization designated by the Department of Public
24 Safety and that bears a photograph of the fisherman.

25 * **Sec. 22.** AS 16.10.267(a), as amended by sec. 21 of this Act, is amended to read:

26 (a) When a fisherman sells fish, the fisherman shall possess

27 (1) a landing permit, entry permit, or interim-use permit issued **or** [,]
28 transferred **to the fisherman** under AS 16.43 [, OR TEMPORARILY
29 TRANSFERRED UNDER AS 16.43.180 OR 16.43.185], or other document
30 authorized by regulation to be used in place of an entry permit or interim-use permit;
31 and

1 (2) an identification card that has been issued to the fisherman by a
 2 state or federal agency or other organization designated by the Department of Public
 3 Safety and that bears a photograph of the fisherman.

4 * **Sec. 23.** AS 16.10.455(b) is amended to read:

5 (b) A hatchery permit holder may, by a majority vote of the membership of
 6 the hatchery permit holder's board, elect to harvest surplus salmon produced at a
 7 facility in a terminal harvest area established for that facility through the common
 8 property fishery. At the request of the hatchery permit holder and if the commissioner
 9 of fish and game determines that there are no allocative issues involved, and after
 10 reasonable consultation with affected commercial fishermen and the organizations of
 11 affected commercial fishermen, the commissioner may adopt regulations governing
 12 the harvest of surplus salmon in a terminal harvest area when the hatchery permit
 13 holder elects to harvest surplus salmon produced at a facility through a common
 14 property fishery. The regulations must specify the terms, conditions, and rules under
 15 which the common property fishery in the terminal harvest area shall be conducted,
 16 including requirements for hold inspections and reporting of harvests and sales of
 17 salmon taken in the terminal harvest area. Following adoption of regulations by the
 18 department, each year before March 10, the hatchery permit holder's board, by a
 19 majority vote of the board's membership, may determine whether the hatchery will
 20 operate under the regulations adopted under this subsection during the current calendar
 21 year, and shall notify the department if the hatchery intends to operate under the
 22 regulations adopted under this subsection. The Board of Fisheries may adopt
 23 regulations under AS 16.05.251 regarding a fisheries management plan governing
 24 operations under this subsection in a terminal harvest area, including allocation plans.
 25 Participation in the fishery must be open to all interim-use permit **holders**, [AND]
 26 entry permit holders, **and temporary transferees under AS 16.43.180 or 16.43.185**
 27 [WHO HOLD PERMITS] to operate a type of gear that may be used in the fishing
 28 district in which the terminal harvest area is located if that type of gear is authorized
 29 by regulation to be used in the terminal harvest area. An interim-use permit holder,
 30 [OR] an entry permit holder, **or a temporary transferee under AS 16.43.180 or**
 31 **16.43.185** who takes salmon in a common property fishery in a terminal harvest area

1 may sell the salmon to any fish buyer or processor who is licensed to do business in
2 the state.

3 * **Sec. 24.** AS 16.10.455(b), as amended by sec. 23 of this Act, is amended to read:

4 (b) A hatchery permit holder may, by a majority vote of the membership of
5 the hatchery permit holder's board, elect to harvest surplus salmon produced at a
6 facility in a terminal harvest area established for that facility through the common
7 property fishery. At the request of the hatchery permit holder and if the commissioner
8 of fish and game determines that there are no allocative issues involved, and after
9 reasonable consultation with affected commercial fishermen and the organizations of
10 affected commercial fishermen, the commissioner may adopt regulations governing
11 the harvest of surplus salmon in a terminal harvest area when the hatchery permit
12 holder elects to harvest surplus salmon produced at a facility through a common
13 property fishery. The regulations must specify the terms, conditions, and rules under
14 which the common property fishery in the terminal harvest area shall be conducted,
15 including requirements for hold inspections and reporting of harvests and sales of
16 salmon taken in the terminal harvest area. Following adoption of regulations by the
17 department, each year before March 10, the hatchery permit holder's board, by a
18 majority vote of the board's membership, may determine whether the hatchery will
19 operate under the regulations adopted under this subsection during the current calendar
20 year, and shall notify the department if the hatchery intends to operate under the
21 regulations adopted under this subsection. The Board of Fisheries may adopt
22 regulations under AS 16.05.251 regarding a fisheries management plan governing
23 operations under this subsection in a terminal harvest area, including allocation plans.
24 Participation in the fishery must be open to all interim-use permit holders **and** [,] entry
25 permit holders [, AND TEMPORARY TRANSFEREES UNDER AS 16.43.180 OR
26 16.43.185] to operate a type of gear that may be used in the fishing district in which
27 the terminal harvest area is located if that type of gear is authorized by regulation to be
28 used in the terminal harvest area. An interim-use permit holder **or** [,] an entry permit
29 holder [, OR A TEMPORARY TRANSFEREE UNDER AS 16.43.180 OR 16.43.185]
30 who takes salmon in a common property fishery in a terminal harvest area may sell the
31 salmon to any fish buyer or processor who is licensed to do business in the state.

1 * **Sec. 25.** AS 16.43.100(a) is amended to read:

2 (a) To accomplish the purposes set out in AS 16.43.010, the commission shall

3 (1) regulate entry into the commercial fisheries for all fishery resources
4 in the state;

5 (2) establish priorities for the application of the provisions of this
6 chapter to the various commercial fisheries of the state;

7 (3) establish administrative areas suitable for regulating and
8 controlling entry into the commercial fisheries;

9 (4) establish, for all types of gear, the maximum number of entry
10 permits for each administrative area;

11 (5) designate, when necessary to accomplish the purposes of this
12 chapter, particular species for which separate interim-use permits or entry permits will
13 be issued;

14 (6) establish qualifications for the issuance of entry permits;

15 (7) issue entry permits to qualified applicants;

16 (8) issue interim-use permits as provided in AS 16.43.210, 16.43.220,
17 and 16.43.225;

18 (9) establish, for all types of gear, the optimum number of entry
19 permits for each administrative area;

20 (10) administer the buy-back program provided for in AS 16.43.310
21 and 16.43.320 to reduce the number of outstanding entry permits to the optimum
22 number of entry permits;

23 (11) provide for the transfer and reissuance of entry permits to
24 qualified transferees;

25 (12) provide for the transfer and reissuance of entry permits for
26 alternative types of legal gear, in a manner consistent with the purposes of this
27 chapter;

28 (13) establish and administer the collection of the annual fees provided
29 for in AS 16.43.160;

30 (14) administer the issuance of commercial fishing vessel licenses
31 under AS 16.05.490;

1 (15) issue educational entry permits to applicants who qualify under
2 the provisions of AS 16.43.340 - 16.43.390;

3 (16) establish reasonable user fees for services;

4 (17) issue landing permits under AS 16.05.675 and regulations adopted
5 under that section;

6 (18) establish and collect annual fees for the issuance of landing
7 permits that reasonably reflect the costs incurred in the administration and
8 enforcement of provisions of law related to landing permits;

9 (19) establish a moratorium on entry into commercial fisheries as
10 provided in AS 16.43.225;

11 (20) when requested by a regional development organization formed
12 under former AS 44.33.895, provide to the organization, without charge, public
13 information contained in the commission's data with respect to relevant fisheries,
14 including limited fisheries, fishery participants, and limited entry permit holders'
15 harvests and earnings; [AND]

16 (21) administer, when necessary to accomplish the purposes of this
17 chapter, a Bering Sea hair crab fishery vessel permit system under AS 16.43.451 -
18 16.43.521; **and**

19 **(22) approve temporary transfers to applicants qualified under**
20 **AS 16.43.185 and regulations adopted under that section.**

21 * **Sec. 26.** AS 16.43.140(a) is amended to read:

22 (a) A person may not operate gear in the commercial taking of fishery
23 resources **if the person does not hold** [WITHOUT] a valid entry permit or a valid
24 interim-use permit **or the person is not a temporary transferee under AS 16.43.180**
25 **or 16.43.185** [ISSUED BY THE COMMISSION].

26 * **Sec. 27.** AS 16.43.140(a), as amended by sec. 26 of this Act, is amended to read:

27 (a) A person may not operate gear in the commercial taking of fishery
28 resources if the person does not hold a valid entry permit or a valid interim-use permit
29 [OR THE PERSON IS NOT A TEMPORARY TRANSFEREE UNDER
30 AS 16.43.180 OR 16.43.185].

31 * **Sec. 28.** AS 16.43.140(b) is amended to read:

1 (b) A permit is not required of a crewmember or other person assisting in the
 2 operation of a unit of gear engaged in the commercial taking of fishery resources as
 3 long as the holder of the entry permit or [THE] interim-use permit **or the temporary**
 4 **transferee under AS 16.43.180 or 16.43.185** for that particular unit of gear is at all
 5 times present and actively engaged in the operation of the gear.

6 * **Sec. 29.** AS 16.43.140(b), as amended by sec. 28 of this Act, is amended to read:

7 (b) A permit is not required of a crewmember or other person assisting in the
 8 operation of a unit of gear engaged in the commercial taking of fishery resources as
 9 long as the holder of the entry permit or interim-use permit [OR THE TEMPORARY
 10 TRANSFEREE UNDER AS 16.43.180 OR 16.43.185] for that particular unit of gear
 11 is at all times present and actively engaged in the operation of the gear.

12 * **Sec. 30.** AS 16.43.150(a) is amended to read:

13 (a) Except as may be otherwise provided under AS 16.43.270(d), an entry
 14 permit authorizes the permittee, **or individual to whom an entry permit is**
 15 **temporarily transferred under AS 16.43.180 or 16.43.185,** to operate a unit of gear
 16 within a specified fishery.

17 * **Sec. 31.** AS 16.43.150(a), as amended by sec. 30 of this Act, is amended to read:

18 (a) Except as may be otherwise provided under AS 16.43.270(d), an entry
 19 permit authorizes the permittee [, OR INDIVIDUAL TO WHOM AN ENTRY
 20 PERMIT IS TEMPORARILY TRANSFERRED UNDER AS 16.43.180 OR
 21 16.43.185,] to operate a unit of gear within a specified fishery.

22 * **Sec. 32.** AS 16.43.150(b) is amended to read:

23 (b) The holder of an entry permit **or a temporary transferee under**
 24 **AS 16.43.180 or 16.43.185** shall have the permit in possession at all times when
 25 engaged in the operation of gear for which it was issued.

26 * **Sec. 33.** AS 16.43.150(b), as amended by sec. 32 of this Act, is amended to read:

27 (b) The holder of an entry permit [OR A TEMPORARY TRANSFEREE
 28 UNDER AS 16.43.180 OR 16.43.185] shall have the permit in possession at all times
 29 when engaged in the operation of gear for which it was issued.

30 * **Sec. 34.** AS 16.43.150(g) is amended to read:

31 (g) Except as provided in AS 16.10.333 - 16.10.338, AS 44.81.215, 44.81.225,

1 and 44.81.231 - 44.81.250, an entry permit may not be

2 (1) pledged, mortgaged, leased, or encumbered in any way;

3 (2) transferred with any retained right of repossession or foreclosure,
4 or on any condition requiring a subsequent transfer, **unless the permit is temporarily**
5 **transferred under AS 16.43.180 or 16.43.185**; or

6 (3) attached, distrained, or sold on execution of judgment or under any
7 other process or order of any court, except as provided in AS 16.43.170(g) and (h).

8 * **Sec. 35.** AS 16.43.150(g), as amended by sec. 34 of this Act, is amended to read:

9 (g) Except as provided in AS 16.10.333 - 16.10.338, AS 44.81.215, 44.81.225,
10 and 44.81.231 - 44.81.250, an entry permit may not be

11 (1) pledged, mortgaged, leased, or encumbered in any way;

12 (2) transferred with any retained right of repossession or foreclosure,
13 or on any condition requiring a subsequent transfer [, UNLESS THE PERMIT IS
14 TEMPORARILY TRANSFERRED UNDER AS 16.43.180 OR 16.43.185]; or

15 (3) attached, distrained, or sold on execution of judgment or under any
16 other process or order of any court, except as provided in AS 16.43.170(g) and (h).

17 * **Sec. 36.** AS 16.43.150 is amended by adding a new subsection to read:

18 (j) To the extent provided by AS 16.43.180 or 16.43.185, a transferee has the
19 same use privilege or right in a fishery that is available to an individual holding an
20 entry permit or valid interim-use permit under this chapter.

21 * **Sec. 37.** AS 16.43.160(a) is amended to read:

22 (a) Except as specifically provided in this section, the commission shall
23 establish annual fees for the issuance and annual renewal of entry permits, **temporary**
24 **permit transfers under AS 16.43.180 and 16.43.185, and** [OR] interim-use permits.

25 * **Sec. 38.** AS 16.43.160(a), as amended by sec. 37 of this Act, is amended to read:

26 (a) Except as specifically provided in this section, the commission shall
27 establish annual fees for the issuance and annual renewal of entry permits and [,
28 TEMPORARY PERMIT TRANSFERS UNDER AS 16.43.180 AND 16.43.185,] and
29 interim-use permits.

30 * **Sec. 39.** AS 16.43.170(a) is amended to read:

31 (a) Except as provided in AS 16.10.333 - 16.10.338 and in AS 44.81.231 -

1 44.81.250, entry permits and interim-use permits are transferable only through the
 2 commission as provided in this section, [AND] AS 16.43.180, and 16.43.185 and
 3 under regulations adopted by the commission. An involuntary transfer of an entry
 4 permit in a manner inconsistent with the statutes of this state and the regulations of the
 5 commission is void.

6 * **Sec. 40.** AS 16.43.170(a), as amended by sec. 39 of this Act, is amended to read:

7 (a) Except as provided in AS 16.10.333 - 16.10.338 and in AS 44.81.231 -
 8 44.81.250, entry permits and interim-use permits are transferable only through the
 9 commission as provided in this section and [,] AS 16.43.180 [, AND 16.43.185] and
 10 under regulations adopted by the commission. An involuntary transfer of an entry
 11 permit in a manner inconsistent with the statutes of this state and the regulations of the
 12 commission is void.

13 * **Sec. 41.** AS 16.43.170(b) is amended to read:

14 (b) Except as provided for temporary transfers under AS 16.43.180 and
 15 16.43.185 and permit holders subject to [IN] (e) of this section, the holder of an
 16 entry permit may transfer the permit to another person or to the commission upon 60
 17 days' [DAYS] notice of intent to transfer under regulations adopted by the
 18 commission. Not [NO] sooner than 60 days nor later than 12 months from the date of
 19 notice to the commission, the holder of an entry permit may transfer the permit. If the
 20 proposed transferee, other than the commission, can demonstrate the present ability to
 21 participate actively in the fishery and the transfer does not violate any provision of this
 22 chapter or regulations adopted under this chapter, and if a certificate for the permit
 23 under AS 16.10.333(b)(1) - (2), 16.10.338, or AS 44.81.231(a) is not in effect, the
 24 commission shall approve the transfer and reissue the entry permit to the transferee if
 25 [PROVIDED THAT] neither party is prohibited by law from participating in the
 26 transfer.

27 * **Sec. 42.** AS 16.43.170(b), as amended by sec. 41 of this Act, is amended to read:

28 (b) Except as provided in [FOR TEMPORARY TRANSFERS UNDER
 29 AS 16.43.180 AND 16.43.185 AND PERMIT HOLDERS SUBJECT TO] (e) of this
 30 section, the holder of an entry permit may transfer the permit to another person or to
 31 the commission upon 60 days' notice of intent to transfer under regulations adopted by

1 the commission. Not sooner than 60 days nor later than 12 months from the date of
 2 notice to the commission, the holder of an entry permit may transfer the permit. If the
 3 proposed transferee, other than the commission, can demonstrate the present ability to
 4 participate actively in the fishery and the transfer does not violate any provision of this
 5 chapter or regulations adopted under this chapter, and if a certificate for the permit
 6 under AS 16.10.333(b)(1) - (2), 16.10.338, or AS 44.81.231(a) is not in effect, the
 7 commission shall approve the transfer and reissue the entry permit to the transferee if
 8 neither party is prohibited by law from participating in the transfer.

9 * **Sec. 43.** AS 16.43.180(a) is amended to read:

10 (a) The commission shall adopt regulations providing for the temporary
 11 emergency transfer of entry permits, **including temporary emergency transfer of**
 12 **permits temporarily transferred under AS 16.43.185,** and interim-use permits when
 13 illness, disability, death, required military or government service, or other unavoidable
 14 hardship prevents the permit holder from participating in the fishery. To alleviate
 15 hardship pending a final determination of the permit holder's eligibility for an entry
 16 permit, the commission shall adopt regulations providing for the temporary emergency
 17 transfer of an interim-use permit issued under AS 16.43.210(b) or 16.43.225.

18 * **Sec. 44.** AS 16.43.180(a), as amended by sec. 43 of this Act, is amended to read:

19 (a) The commission shall adopt regulations providing for the temporary
 20 emergency transfer of entry permits [, INCLUDING TEMPORARY EMERGENCY
 21 TRANSFER OF PERMITS TEMPORARILY TRANSFERRED UNDER
 22 AS 16.43.185,] and interim-use permits when illness, disability, death, required
 23 military or government service, or other unavoidable hardship prevents the permit
 24 holder from participating in the fishery. To alleviate hardship pending a final
 25 determination of the permit holder's eligibility for an entry permit, the commission
 26 shall adopt regulations providing for the temporary emergency transfer of an interim-
 27 use permit issued under AS 16.43.210(b) or 16.43.225.

28 * **Sec. 45.** AS 16.43 is amended by adding a new section to article 2 to read:

29 **Sec. 16.43.185. Temporary transfer of entry permits.** (a) Subject to the
 30 requirements of this section, an individual holding an entry permit may annually
 31 temporarily transfer the individual's permit to another individual qualified under (c) of

1 this section. A temporary transfer under this section

2 (1) may be known as a "temporary master transfer";

3 (2) may not be initiated during an open fishing season; and

4 (3) is limited to a period of not more than three consecutive years.

5 (b) A temporarily transferred permit under this section must

6 (1) be temporarily transferred on terms agreed upon by the permit
7 holder and the temporary transferee in a written contract filed with the commission;

8 (2) be transferred from the permit holder to the temporary transferee
9 for a period each year that the commission, in consultation with the Department of
10 Fish and Game, determines is equal to one-half of the applicable fishing season under
11 regulations adopted by the commission;

12 (3) be fished by the temporary transferee from the same vessel that the
13 permit holder fishes from during the applicable fishing season; and

14 (4) have the names of both the permit holder and temporary transferee
15 under this section printed on the permit card.

16 (c) An individual is qualified as a temporary transferee under this section if
17 the individual

18 (1) applies with a permit holder on a form approved by the department;

19 (2) demonstrates that the individual

20 (A) was employed by the permit holder as a crewmember for a
21 full fishing season in the 12 months preceding the request for a temporary
22 transfer under this section;

23 (B) holds a United States Coast Guard license that permits the
24 individual to captain an uninspected vessel of at least 100 tons or has other
25 comparable qualifications or experience established by the commission in
26 regulation; and

27 (3) has paid the required fee.

28 (d) The commission shall adopt regulations

29 (1) specifying the form and dates of application and the procedures to
30 be followed in applying for and renewing a temporary transfer under this section;

31 (2) providing how a permit holder and temporary transferee under this

1 section shall document the respective periods spent fishing the permit; the commission
2 may require a permit holder or temporary transferee under this section to provide
3 proof of

4 (A) the permit holder's or temporary transferee's presence on
5 the vessel; or

6 (B) landings made under AS 16.05.690;

7 (3) in consultation with the Department of Fish and Game, providing a
8 description of one-half of a fishing season for each fishery.

9 (e) A written contract filed with the commission under (b)(1) of this section is
10 confidential and is not a public record for purposes of AS 40.25.110 - 40.25.140.

11 * **Sec. 46.** AS 16.43.850 is amended to read:

12 **Sec. 16.43.850. Point system.** (a) For the purpose of identifying frequent
13 violators of commercial fishing laws in salmon fisheries, the commission shall adopt
14 regulations establishing a uniform system for the suspension of commercial salmon
15 fishing privileges by assigning demerit points for convictions for violations of
16 commercial fishing laws in salmon fisheries that are reported to the commission under
17 AS 16.43.880. The commission shall assess demerit points against **an individual who**
18 **holds an entry permit or interim-use permit or who is a temporary transferee**
19 **under AS 16.43.180 or 16.43.185** [A PERMIT HOLDER] for each violation of
20 commercial fishing laws in a salmon fishery in accordance with (b) and (c) of this
21 section. The commission shall assess points against a permit holder **or temporary**
22 **transferee under AS 16.43.180 or 16.43.185** for the salmon fishery in which the
23 violation of commercial fishing laws occurred.

24 (b) The commission shall assess demerit points against **an individual who**
25 **holds a permit or who is a temporary transferee under AS 16.43.180 or 16.43.185**
26 [HOLDER] for a conviction of a violation of commercial fishing laws in a salmon
27 fishery under AS 16.05.722, 16.05.723, 16.05.831; AS 16.10.055, 16.10.070 -
28 16.10.090, 16.10.100, 16.10.110, 16.10.120, 16.10.200 - 16.10.220, and 16.10.760 -
29 16.10.790 for the following violations in accordance with this schedule:

- 30 (1) fishing in closed waters 6 points;
31 (2) fishing during closed season or period 6 points;

- 1 (3) fishing with more than the legal amount of gear 4 points;
- 2 (4) fishing with gear not allowed in fishery 6 points;
- 3 (5) fishing before expiration of transfer period 6 points;
- 4 (6) interfering with commercial fishing gear 4 points;
- 5 (7) fishing with more than the legal amount of gear
- 6 on vessel 4 points;
- 7 (8) improper operation of fishing gear 4 points;
- 8 (9) permit holder **or permit temporary transferee**
- 9 not present when required 4 points;
- 10 (10) fishing with underlength or overlength vessel 6 points;
- 11 (11) wanton waste of fishery resources 4 points.

12 (c) Notwithstanding (b) of this section, if **the** [A PERMIT HOLDER'S] first
 13 conviction of a violation of commercial fishing laws in a salmon fishery in a 36-month
 14 period **for a permit holder or temporary transferee under AS 16.43.180 or**
 15 **16.43.185** is a conviction under AS 16.05.722, the number of demerit points assessed
 16 against the permit holder **or temporary transferee** for the violation must be one-half
 17 of the points assessed for the violation under (b) of this section.

18 (d) The commission shall suspend **the** [A PERMIT HOLDER'S] commercial
 19 salmon fishing privileges **of a permit holder or a temporary transferee under**
 20 **AS 16.43.180 or 16.43.185** for a salmon fishery for a period of

21 (1) one year if the permit holder **or temporary transferee**
 22 accumulates 12 or more points during any consecutive 36-month period as a result of
 23 convictions for violations of commercial fishing laws in the salmon fishery;

24 (2) two years if the permit holder **or temporary transferee**
 25 accumulates 16 or more points during any consecutive 36-month period as a result of
 26 convictions for violations of commercial fishing laws in the salmon fishery;

27 (3) three years if the permit holder **or temporary transferee**
 28 accumulates 18 or more points during any consecutive 36-month period as a result of
 29 convictions for violations of commercial fishing laws in the salmon fishery.

30 * **Sec. 47.** AS 16.43.850, as amended by sec. 46 of this Act, is amended to read:

31 **Sec. 16.43.850. Point system.** (a) For the purpose of identifying frequent

1 violators of commercial fishing laws in salmon fisheries, the commission shall adopt
2 regulations establishing a uniform system for the suspension of commercial salmon
3 fishing privileges by assigning demerit points for convictions for violations of
4 commercial fishing laws in salmon fisheries that are reported to the commission under
5 AS 16.43.880. The commission shall assess demerit points against **a permit holder**
6 [AN INDIVIDUAL WHO HOLDS AN ENTRY PERMIT OR INTERIM-USE
7 PERMIT OR WHO IS A TEMPORARY TRANSFEREE UNDER AS 16.43.180 OR
8 16.43.185] for each violation of commercial fishing laws in a salmon fishery in
9 accordance with (b) and (c) of this section. The commission shall assess points against
10 a permit holder [OR TEMPORARY TRANSFEREE UNDER AS 16.43.180 OR
11 16.43.185] for the salmon fishery in which the violation of commercial fishing laws
12 occurred.

13 (b) The commission shall assess demerit points against [AN INDIVIDUAL
14 WHO HOLDS] a permit **holder** [OR WHO IS A TEMPORARY TRANSFEREE
15 UNDER AS 16.43.180 OR 16.43.185] for a conviction of a violation of commercial
16 fishing laws in a salmon fishery under AS 16.05.722, 16.05.723, 16.05.831;
17 AS 16.10.055, 16.10.070 - 16.10.090, 16.10.100, 16.10.110, 16.10.120, 16.10.200 -
18 16.10.220, and 16.10.760 - 16.10.790 for the following violations in accordance with
19 this schedule:

- 20 (1) fishing in closed waters 6 points;
- 21 (2) fishing during closed season or period 6 points;
- 22 (3) fishing with more than the legal amount of gear 4 points;
- 23 (4) fishing with gear not allowed in fishery 6 points;
- 24 (5) fishing before expiration of transfer period 6 points;
- 25 (6) interfering with commercial fishing gear 4 points;
- 26 (7) fishing with more than the legal amount of gear
- 27 on vessel 4 points;
- 28 (8) improper operation of fishing gear 4 points;
- 29 (9) permit holder [OR PERMIT TEMPORARY
- 30 TRANSFEREE] not present when required 4 points;
- 31 (10) fishing with underlength or overlength vessel 6 points;

1 (11) wanton waste of fishery resources..... 4 points.

2 (c) Notwithstanding (b) of this section, if the first conviction of a violation of
3 commercial fishing laws in a salmon fishery in a 36-month period for a permit holder
4 [OR TEMPORARY TRANSFEREE UNDER AS 16.43.180 OR 16.43.185] is a
5 conviction under AS 16.05.722, the number of demerit points assessed against the
6 permit holder [OR TEMPORARY TRANSFEREE] for the violation must be one-half
7 of the points assessed for the violation under (b) of this section.

8 (d) The commission shall suspend the commercial salmon fishing privileges of
9 a permit holder [OR A TEMPORARY TRANSFEREE UNDER AS 16.43.180 OR
10 16.43.185] for a salmon fishery for a period of

11 (1) one year if the permit holder [OR TEMPORARY TRANSFEREE]
12 accumulates 12 or more points during any consecutive 36-month period as a result of
13 convictions for violations of commercial fishing laws in the salmon fishery;

14 (2) two years if the permit holder [OR TEMPORARY
15 TRANSFEREE] accumulates 16 or more points during any consecutive 36-month
16 period as a result of convictions for violations of commercial fishing laws in the
17 salmon fishery;

18 (3) three years if the permit holder [OR TEMPORARY
19 TRANSFEREE] accumulates 18 or more points during any consecutive 36-month
20 period as a result of convictions for violations of commercial fishing laws in the
21 salmon fishery.

22 * **Sec. 48.** AS 16.43.855(a) is amended to read:

23 (a) Notice of each assessment of points shall be given to the permit holder **or**
24 **the temporary transferee under AS 16.43.180 or 16.43.185.** Notice shall also be
25 given to the permit holder **or temporary transferee** before the expiration of a
26 suspension of commercial salmon fishing privileges under AS 16.43.850(d) that
27 subsequent violations of commercial fishing laws in the salmon fishery may result in
28 further suspensions of the permit. The notice may be given by first class mail.

29 * **Sec. 49.** AS 16.43.855(a), as amended by sec. 48 of this Act, is amended to read:

30 (a) Notice of each assessment of points shall be given to the permit holder
31 [OR THE TEMPORARY TRANSFEREE UNDER AS 16.43.180 OR 16.43.185].

1 Notice shall also be given to the permit holder [OR TEMPORARY TRANSFEREE]
 2 before the expiration of a suspension of commercial salmon fishing privileges under
 3 AS 16.43.850(d) that subsequent violations of commercial fishing laws in the salmon
 4 fishery may result in further suspensions of the permit. The notice may be given by
 5 first class mail.

6 * **Sec. 50.** AS 16.43.855(c) is amended to read:

7 (c) The assessment of points against a permit holder **or temporary transferee**
 8 **under AS 16.43.180 or 16.43.185** by the commission under AS 16.43.850 - 16.43.895
 9 is in addition to, and not in substitution for, other provisions of this title and is not a
 10 substitute for any penalty imposed by a court.

11 * **Sec. 51.** AS 16.43.855(c), as amended by sec. 50 of this Act, is amended to read:

12 (c) The assessment of points against a permit holder [OR TEMPORARY
 13 TRANSFEREE UNDER AS 16.43.180 OR 16.43.185] by the commission under
 14 AS 16.43.850 - 16.43.895 is in addition to, and not in substitution for, other provisions
 15 of this title and is not a substitute for any penalty imposed by a court.

16 * **Sec. 52.** AS 16.43.855 is amended by adding a new subsection to read:

17 (e) If the commission assesses points under (a) of this section against a
 18 temporary transferee under AS 16.43.185, the commission shall provide notice of the
 19 assessment of points to the permit holder.

20 * **Sec. 53.** AS 16.43.860 is amended to read:

21 **Sec. 16.43.860. Suspension.** (a) A permit holder **or temporary transferee**
 22 **under AS 16.43.180 or 16.43.185** whose commercial salmon fishing privileges for a
 23 salmon fishery are suspended under AS 16.43.850 - 16.43.895 may not obtain an entry
 24 permit or interim-use permit for that salmon fishery during the period of the
 25 suspension of the privileges. During the period for which the permit holder's **or**
 26 **temporary transferee's** privilege to obtain an entry permit or interim-use permit for a
 27 salmon fishery is suspended under this section, the commission may not issue a permit
 28 card to the permit holder **or temporary transferee** for that fishery.

29 (b) A permit holder **or temporary transferee under AS 16.43.180 or**
 30 **16.43.185** whose privilege of obtaining a commercial fishing permit for a salmon
 31 fishery is suspended under AS 16.43.850 - 16.43.895 may not

1 (1) engage in the salmon fishery under a crewmember license; [OR]

2 (2) engage in the salmon fishery as a temporary transferee under
3 AS 16.43.180 or 16.43.185; or

4 (3) lease or rent the permit holder's or temporary transferee's interest
5 in a boat to another person if the boat would be used in the salmon fishery for which
6 the permit holder's or temporary transferee's fishing privileges are suspended.

7 (c) If, during the period for which the commission has suspended the [A
8 PERMIT HOLDER'S] commercial fishing privileges of a permit holder or a
9 temporary transferee under AS 16.43.180 or 16.43.185 for a salmon fishery [ARE
10 SUSPENDED], the commission establishes a limited entry system for the salmon
11 fishery, the permit holder or temporary transferee is [SHALL BE] eligible to obtain
12 an entry permit for that fishery to the extent that the permit holder or temporary
13 transferee qualifies for the entry permit under regulations adopted by the commission.
14 If the permit holder or temporary transferee qualifies for an entry permit for the
15 fishery, the commission shall withhold issuance of the entry permit until the period of
16 the suspension imposed under AS 16.43.850 - 16.43.895 has expired.

17 (d) The commission may not transfer a commercial fishing permit for a
18 salmon fishery under an emergency transfer under AS 16.43.180 if, at the time of the
19 application for the emergency transfer, the [PERMIT HOLDER'S] commercial salmon
20 fishing privileges of the permit holder or temporary transferee for the salmon
21 fishery have been suspended.

22 * **Sec. 54.** AS 16.43.860, as amended by sec. 53 of this Act, is amended to read:

23 **Sec. 16.43.860. Suspension.** (a) A permit holder [OR TEMPORARY
24 TRANSFEREE UNDER AS 16.43.180 OR 16.43.185] whose commercial salmon
25 fishing privileges for a salmon fishery are suspended under AS 16.43.850 - 16.43.895
26 may not obtain an entry permit or interim-use permit for that salmon fishery during the
27 period of the suspension of the privileges. During the period for which the permit
28 holder's [OR TEMPORARY TRANSFEREE'S] privilege to obtain an entry permit or
29 interim-use permit for a salmon fishery is suspended under this section, the
30 commission may not issue a permit card to the permit holder [OR TEMPORARY
31 TRANSFEREE] for that fishery.

1 (b) A permit holder [OR TEMPORARY TRANSFEREE UNDER
2 AS 16.43.180 OR 16.43.185] whose privilege of obtaining a commercial fishing
3 permit for a salmon fishery is suspended under AS 16.43.850 - 16.43.895 may not

4 (1) engage in the salmon fishery under a crewmember license; or

5 (2) [ENGAGE IN THE SALMON FISHERY AS A TEMPORARY
6 TRANSFEREE UNDER AS 16.43.180 OR 16.43.185; OR

7 (3)] lease or rent the permit holder's [OR TEMPORARY
8 TRANSFEREE'S] interest in a boat to another person if the boat would be used in the
9 salmon fishery for which the permit holder's [OR TEMPORARY TRANSFEREE'S]
10 fishing privileges are suspended.

11 (c) If, during the period for which the commission has suspended the
12 commercial fishing privileges of a permit holder [OR A TEMPORARY
13 TRANSFEREE UNDER AS 16.43.180 OR 16.43.185] for a salmon fishery, the
14 commission establishes a limited entry system for the salmon fishery, the permit
15 holder [OR TEMPORARY TRANSFEREE] is eligible to obtain an entry permit for
16 that fishery to the extent that the permit holder [OR TEMPORARY TRANSFEREE]
17 qualifies for the entry permit under regulations adopted by the commission. If the
18 permit holder [OR TEMPORARY TRANSFEREE] qualifies for an entry permit for
19 the fishery, the commission shall withhold issuance of the entry permit until the period
20 of the suspension imposed under AS 16.43.850 - 16.43.895 has expired.

21 (d) The commission may not transfer a commercial fishing permit for a
22 salmon fishery under an emergency transfer under AS 16.43.180 if, at the time of the
23 application for the emergency transfer, the permit holder's commercial salmon
24 fishing privileges [OF THE PERMIT HOLDER OR TEMPORARY TRANSFEREE]
25 for the salmon fishery have been suspended.

26 * **Sec. 55.** AS 16.43.960(a), as amended by sec. 6, ch. 2, SLA 2014, is amended to read:

27 (a) The commission may revoke, suspend, or transfer all entry or interim-use
28 permits held by a person who knowingly provides or assists in providing false
29 information, or fails to correct false information provided to the commission for the
30 purpose of obtaining a benefit for self or another, including the issuance, renewal,
31 duplication, [OR] transfer, or temporary transfer under AS 16.43.180 or 16.43.185

1 of an entry or interim-use permit or vessel license. **The commission may revoke the**
 2 **temporary transfer of a permit under AS 16.43.185 held by a person who**
 3 **knowingly provides or assists in providing false information, or fails to correct**
 4 **false information provided to the commission for the purpose of obtaining a**
 5 **benefit for self or another.** The commission may suspend that person's eligibility to
 6 hold **or be temporarily transferred** an entry or interim-use permit for a period not to
 7 exceed three years, and may impose an administrative fine of not more than \$5,000 on
 8 the person. The commission may also impose an administrative fine of not more than
 9 \$5,000 on an entity whose officers, employees, representatives, or agents knowingly
 10 provide or assist in providing false information, or fail to correct false information
 11 provided, to the commission for the purpose of obtaining a benefit.

12 * **Sec. 56.** AS 16.43.960(a), as amended by sec. 55 of this Act, is amended to read:

13 (a) The commission may revoke, suspend, or transfer all entry or interim-use
 14 permits held by a person who knowingly provides or assists in providing false
 15 information, or fails to correct false information provided to the commission for the
 16 purpose of obtaining a benefit for self or another, including the issuance, renewal,
 17 duplication, **or** transfer [, OR TEMPORARY TRANSFER UNDER AS 16.43.180 OR
 18 16.43.185] of an entry or interim-use permit or vessel license. [THE COMMISSION
 19 MAY REVOKE THE TEMPORARY TRANSFER OF A PERMIT UNDER
 20 AS 16.43.185 HELD BY A PERSON WHO KNOWINGLY PROVIDES OR
 21 ASSISTS IN PROVIDING FALSE INFORMATION, OR FAILS TO CORRECT
 22 FALSE INFORMATION PROVIDED TO THE COMMISSION FOR THE
 23 PURPOSE OF OBTAINING A BENEFIT FOR SELF OR ANOTHER.] The
 24 commission may suspend that person's eligibility to hold [OR BE TEMPORARILY
 25 TRANSFERRED] an entry or interim-use permit for a period not to exceed three
 26 years, and may impose an administrative fine of not more than \$5,000 on the person.
 27 The commission may also impose an administrative fine of not more than \$5,000 on
 28 an entity whose officers, employees, representatives, or agents knowingly provide or
 29 assist in providing false information, or fail to correct false information provided, to
 30 the commission for the purpose of obtaining a benefit.

31 * **Sec. 57.** AS 16.10.265(a)(3); AS 16.43.100(a)(22), 16.43.150(j), 16.43.185, and

1 16.43.855(e) are repealed.

2 ***Sec. 58.** Sections 3, 5, 7, 9, 11, 13, 15, 17, 19, 22, 24, 27, 29, 31, 33, 35, 38, 40, 42, 44, 47,
3 49, 51, 54, 56, and 57 of this Act take effect January 1, 2029.

4 * **Sec. 59.** Except as provided in sec. 58 of this Act, this Act takes effect January 1, 2019.