

SPONSOR SUBSTITUTE FOR SENATE BILL NO. 211

IN THE LEGISLATURE OF THE STATE OF ALASKA

THIRTIETH LEGISLATURE - SECOND SESSION

BY SENATOR STEVENS

Introduced: 3/8/18

Referred: Resources, Finance

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 Fisher Retirement
7 Transfer Act.

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

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

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

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

4 * **Sec. 3.** AS 16.05.480(a) is amended to read:

5 (a) A person engaged in commercial fishing shall obtain a commercial fishing
 6 license and shall retain the license in possession and readily available for inspection
 7 during fishing operations. An entry permit or interim-use permit entitles the holder, **or**
 8 **person to whom the entry permit is temporarily transferred under AS 16.43.180**
 9 **or 16.43.185,** to participate as a gear operator in the fishery for which the permit is
 10 issued and to participate as a crewmember in any fishery. **A temporary transferee**
 11 **under AS 16.43.185 shall obtain a crewmember license to participate as a**
 12 **crewmember for the portion of a fishing season in which the person is not fishing**
 13 **as a temporary transferee.** A crewmember fishing license is not transferable and
 14 entitles the holder to participate as a crewmember in any fishery.

15 * **Sec. 4.** AS 16.05.480(g) 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 fishing**
 18 **as a temporary transferee under AS 16.43.180 or 16.43.185** shall, except as
 19 provided in (i) of this section, pay a fee of \$60 for an annual crewmember fishing
 20 license. A resident engaged in commercial fishing who is less than 11 years of age and
 21 who does not hold an entry permit or an interim-use permit **or who is not fishing as a**
 22 **temporary transferee under AS 16.43.180 or 16.43.185** shall pay an annual fee of
 23 \$5.

24 * **Sec. 5.** 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. 6.** AS 16.05.480(i) is amended to read:

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

19 * **Sec. 7.** AS 16.05.480(j) is amended to read:

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

23 * **Sec. 8.** 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. 9.** AS 16.05.680(a) is amended to read:

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

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

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

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

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

14 (C) exempt under AS 16.05.660; or

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

17 * **Sec. 10.** AS 16.05.723(b) is amended to read:

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

22 (1) commercial fishing in closed waters;

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

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

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

29 * **Sec. 11.** AS 16.10.265(a) is amended to read:

30 (a) An individual may not, while acting as a fish processor or primary fish
31 buyer, or as an agent, director, officer, member, or employee of a fish processor, of a

1 primary fish buyer, or of a cooperative corporation organized under AS 10.15,
 2 intentionally or knowingly make an original purchase of fish from a seller who [DOES
 3 NOT HOLD]

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

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

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

8 * **Sec. 12.** AS 16.10.267(a) is amended to read:

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

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

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

17 * **Sec. 13.** AS 16.10.455(b) is amended to read:

18 (b) A hatchery permit holder may, by a majority vote of the membership of
 19 the hatchery permit holder's board, elect to harvest surplus salmon produced at a
 20 facility in a terminal harvest area established for that facility through the common
 21 property fishery. At the request of the hatchery permit holder and if the commissioner
 22 of fish and game determines that there are no allocative issues involved, and after
 23 reasonable consultation with affected commercial fishermen and the organizations of
 24 affected commercial fishermen, the commissioner may adopt regulations governing
 25 the harvest of surplus salmon in a terminal harvest area when the hatchery permit
 26 holder elects to harvest surplus salmon produced at a facility through a common
 27 property fishery. The regulations must specify the terms, conditions, and rules under
 28 which the common property fishery in the terminal harvest area shall be conducted,
 29 including requirements for hold inspections and reporting of harvests and sales of
 30 salmon taken in the terminal harvest area. Following adoption of regulations by the
 31 department, each year before March 10, the hatchery permit holder's board, by a

1 majority vote of the board's membership, may determine whether the hatchery will
 2 operate under the regulations adopted under this subsection during the current calendar
 3 year, and shall notify the department if the hatchery intends to operate under the
 4 regulations adopted under this subsection. The Board of Fisheries may adopt
 5 regulations under AS 16.05.251 regarding a fisheries management plan governing
 6 operations under this subsection in a terminal harvest area, including allocation plans.
 7 Participation in the fishery must be open to all interim-use permit **holders**, [AND]
 8 entry permit holders, **and temporary transferees under AS 16.43.180 or 16.43.185**
 9 [WHO HOLD PERMITS] to operate a type of gear that may be used in the fishing
 10 district in which the terminal harvest area is located if that type of gear is authorized
 11 by regulation to be used in the terminal harvest area. An interim-use permit holder,
 12 [OR] an entry permit holder, **or a temporary transferee under AS 16.43.180 or**
 13 **16.43.185** who takes salmon in a common property fishery in a terminal harvest area
 14 may sell the salmon to any fish buyer or processor who is licensed to do business in
 15 the state.

16 * **Sec. 14.** AS 16.43.100(a) is amended to read:

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

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

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

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

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

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

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

30 (7) issue entry permits to qualified applicants;

31 (8) issue interim-use permits as provided in AS 16.43.210, 16.43.220,

1 and 16.43.225;

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

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

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

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

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

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

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

18 (16) establish reasonable user fees for services;

19 (17) issue landing permits under AS 16.05.675 and regulations adopted
20 under that section;

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

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

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

31 (21) administer, when necessary to accomplish the purposes of this

1 chapter, a Bering Sea hair crab fishery vessel permit system under AS 16.43.451 -
2 16.43.521; **and**

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

5 * **Sec. 15.** AS 16.43.140(a) is amended to read:

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

10 * **Sec. 16.** AS 16.43.140(b) is amended to read:

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

16 * **Sec. 17.** AS 16.43.150(a) is amended to read:

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

21 * **Sec. 18.** AS 16.43.150(b) is amended to read:

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

25 * **Sec. 19.** AS 16.43.150(g) is amended to read:

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

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

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

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

3 * **Sec. 20.** AS 16.43.150 is amended by adding a new subsection to read:

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

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

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

11 * **Sec. 22.** AS 16.43.170(a) is amended to read:

12 (a) Except as provided in AS 16.10.333 - 16.10.338 and in AS 44.81.231 -
 13 44.81.250, entry permits and interim-use permits are transferable only through the
 14 commission as provided in this section, [AND] AS 16.43.180, **and 16.43.185** and
 15 under regulations adopted by the commission. An involuntary transfer of an entry
 16 permit in a manner inconsistent with the statutes of this state and the regulations of the
 17 commission is void.

18 * **Sec. 23.** AS 16.43.170(b) is amended to read:

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

1 * **Sec. 24.** AS 16.43.180(a) is amended to read:

2 (a) The commission shall adopt regulations providing for the temporary
3 emergency transfer of entry permits, **including temporary emergency transfer of**
4 **permits temporarily transferred under AS 16.43.185,** and interim-use permits when
5 illness, disability, death, required military or government service, or other unavoidable
6 hardship prevents the permit holder from participating in the fishery. To alleviate
7 hardship pending a final determination of the permit holder's eligibility for an entry
8 permit, the commission shall adopt regulations providing for the temporary emergency
9 transfer of an interim-use permit issued under AS 16.43.210(b) or 16.43.225.

10 * **Sec. 25.** AS 16.43 is amended by adding a new section to article 2 to read:

11 **Sec. 16.43.185. Alaska master fisher retirement transfers.** (a) Subject to the
12 requirements of this section, an individual holding an entry permit may annually
13 temporarily transfer the individual's permit to another individual qualified under (c) of
14 this section. A temporary transfer under this section

15 (1) may be known as an "Alaska master fisher retirement transfer";

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

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

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

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

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

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

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

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

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

1 (2) demonstrates that the individual

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

5 (B) meets standards adopted by the commission evidencing that
6 the individual has the qualifications or experience necessary to ensure the
7 safety of human life and property and the protection of the state's fisheries and
8 marine environment; and

9 (3) has paid the required fee.

10 (d) The commission shall adopt regulations

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

13 (2) providing how a permit holder and temporary transferee under this
14 section shall document the respective periods spent fishing the permit; the commission
15 may require a permit holder or temporary transferee under this section to provide
16 proof of

17 (A) the permit holder's or temporary transferee's presence on
18 the vessel; or

19 (B) landings made under AS 16.05.690;

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

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

24 * **Sec. 26.** AS 16.43.850 is amended to read:

25 **Sec. 16.43.850. Point system.** (a) For the purpose of identifying frequent
26 violators of commercial fishing laws in salmon fisheries, the commission shall adopt
27 regulations establishing a uniform system for the suspension of commercial salmon
28 fishing privileges by assigning demerit points for convictions for violations of
29 commercial fishing laws in salmon fisheries that are reported to the commission under
30 AS 16.43.880. The commission shall assess demerit points against **an individual who**
31 **holds an entry permit or interim-use permit or who is a temporary transferee**

1 **under AS 16.43.180 or 16.43.185** [A PERMIT HOLDER] for each violation of
2 commercial fishing laws in a salmon fishery in accordance with (b) and (c) of this
3 section. The commission shall assess points against a permit holder **or temporary**
4 **transferee under AS 16.43.180 or 16.43.185** for the salmon fishery in which the
5 violation of commercial fishing laws occurred.

6 (b) The commission shall assess demerit points against **an individual who**
7 **holds** a permit **or who is a temporary transferee under AS 16.43.180 or 16.43.185**
8 [HOLDER] for a conviction of a violation of commercial fishing laws in a salmon
9 fishery under AS 16.05.722, 16.05.723, 16.05.831; AS 16.10.055, 16.10.070 -
10 16.10.090, 16.10.100, 16.10.110, 16.10.120, 16.10.200 - 16.10.220, and 16.10.760 -
11 16.10.790 for the following violations in accordance with this schedule:

- 12 (1) fishing in closed waters 6 points;
- 13 (2) fishing during closed season or period 6 points;
- 14 (3) fishing with more than the legal amount of gear 4 points;
- 15 (4) fishing with gear not allowed in fishery 6 points;
- 16 (5) fishing before expiration of transfer period 6 points;
- 17 (6) interfering with commercial fishing gear 4 points;
- 18 (7) fishing with more than the legal amount of gear
19 on vessel 4 points;
- 20 (8) improper operation of fishing gear 4 points;
- 21 (9) permit holder **or permit temporary transferee**
22 not present when required 4 points;
- 23 (10) fishing with underlength or overlength vessel 6 points;
- 24 (11) wanton waste of fishery resources 4 points.

25 (c) Notwithstanding (b) of this section, if **the** [A PERMIT HOLDER'S] first
26 conviction of a violation of commercial fishing laws in a salmon fishery in a 36-month
27 period **for a permit holder or temporary transferee under AS 16.43.180 or**
28 **16.43.185** is a conviction under AS 16.05.722, the number of demerit points assessed
29 against the permit holder **or temporary transferee** for the violation must be one-half
30 of the points assessed for the violation under (b) of this section.

31 (d) The commission shall suspend **the** [A PERMIT HOLDER'S] commercial

1 salmon fishing privileges **of a permit holder or a temporary transferee under**
 2 **AS 16.43.180 or 16.43.185** for a salmon fishery for a period of

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

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

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

12 * **Sec. 27.** AS 16.43.855(a) is amended to read:

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

19 * **Sec. 28.** AS 16.43.855(c) is amended to read:

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

24 * **Sec. 29.** AS 16.43.855 is amended by adding a new subsection to read:

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

28 * **Sec. 30.** AS 16.43.860 is amended to read:

29 **Sec. 16.43.860. Suspension.** (a) A permit holder **or temporary transferee**
 30 **under AS 16.43.180 or 16.43.185** whose commercial salmon fishing privileges for a
 31 salmon fishery are suspended under AS 16.43.850 - 16.43.895 may not obtain an entry

1 permit or interim-use permit for that salmon fishery during the period of the
 2 suspension of the privileges. During the period for which the permit holder's **or**
 3 **temporary transferee's** privilege to obtain an entry permit or interim-use permit for a
 4 salmon fishery is suspended under this section, the commission may not issue a permit
 5 card to the permit holder **or temporary transferee** for that fishery.

6 (b) A permit holder **or temporary transferee under AS 16.43.180 or**
 7 **16.43.185** whose privilege of obtaining a commercial fishing permit for a salmon
 8 fishery is suspended under AS 16.43.850 - 16.43.895 may not

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

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

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

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

25 (d) The commission may not transfer a commercial fishing permit for a
 26 salmon fishery under an emergency transfer under AS 16.43.180 if, at the time of the
 27 application for the emergency transfer, the [PERMIT HOLDER'S] commercial salmon
 28 fishing privileges **of the permit holder or temporary transferee** for the salmon
 29 fishery have been suspended.

30 * **Sec. 31.** AS 16.43.960(a), as amended by sec. 6, ch. 2, SLA 2014, is amended to read:

31 (a) The commission may revoke, suspend, or transfer all entry or interim-use

1 permits held by a person who knowingly provides or assists in providing false
2 information, or fails to correct false information provided to the commission for the
3 purpose of obtaining a benefit for self or another, including the issuance, renewal,
4 duplication, [OR] transfer, **or temporary transfer under AS 16.43.180 or 16.43.185**
5 of an entry or interim-use permit or vessel license. **The commission may revoke the**
6 **temporary transfer of a permit under AS 16.43.185 held by a person who**
7 **knowingly provides or assists in providing false information, or fails to correct**
8 **false information provided to the commission for the purpose of obtaining a**
9 **benefit for self or another.** The commission may suspend that person's eligibility to
10 hold **or be temporarily transferred** an entry or interim-use permit for a period not to
11 exceed three years, and may impose an administrative fine of not more than \$5,000 on
12 the person. The commission may also impose an administrative fine of not more than
13 \$5,000 on an entity whose officers, employees, representatives, or agents knowingly
14 provide or assist in providing false information, or fail to correct false information
15 provided, to the commission for the purpose of obtaining a benefit.

16 * **Sec. 32.** This Act takes effect January 1, 2019.