

23-LS0322\Q  
Utermohle  
1/14/04

**SENATE BILL NO.**

IN THE LEGISLATURE OF THE STATE OF ALASKA  
TWENTY-THIRD LEGISLATURE - SECOND SESSION

BY

Introduced:  
Referred:

**A BILL**

**FOR AN ACT ENTITLED**

1 "An Act relating to a buy-back surcharge on the renewal of entry permits and  
2 administration of an entry permit buy-back program."

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

4 \* **Section 1.** AS 16.43.310 is amended by adding a new subsection to read:

5 (d) If, at a referendum conducted by the commission, at least 66 percent of the  
6 entry permit holders in the fishery favor the imposition of a buy-back surcharge on the  
7 renewal of entry permits for the fishery, the commission may establish by regulation a  
8 buy-back surcharge on the annual renewal of entry permits for a fishery for which the  
9 commission has established a buy-back fund under (a) of this section. The  
10 commission shall collect the buy-back surcharge at the time of renewal of entry  
11 permits for the fishery under AS 16.43.150. A renewal of an entry permit subject to  
12 this subsection may not occur until the renewal fee set under AS 16.43.160 and the  
13 buy-back surcharge established under this subsection have been received by the  
14 commission. The commission may establish a buy-back surcharge for a fishery in lieu

1 of or in conjunction with a permit buy-back assessment under (b) of this section. The  
2 commission shall set the amount of the surcharge at an amount that the commission  
3 reasonably estimates is necessary to offset the cost to the state to reduce the number of  
4 permits in the fishery to the optimum number within a time period determined  
5 appropriate by the commission.

6 \* Sec. 2. AS 16.43.320 is amended to read:

7       **Sec. 16.43.320. Administration of the buy-back program.** The commission  
8 shall adopt regulations providing for the purchase of transferable entry permits with  
9 money in the buy-back fund for each fishery. The commission shall cease purchases  
10 of entry permits in a fishery when the number of entry permits in the fishery has  
11 been reduced to the optimum number. The commission shall terminate a buy-  
12 back assessment established for a fishery under AS 16.43.310(b) and a buy-back  
13 surcharge established for a fishery under AS 16.43.310(d) when the commission  
14 determines that the amount of revenue collected through the assessment and  
15 surcharge is sufficient to purchase the number of permits necessary to achieve  
16 the optimum number of entry permits in the fishery and to offset the reasonable  
17 costs of the buy-back program for the [A] fishery, including repayment of any debt  
18 the commission was authorized to incur to capitalize the buy-back fund [SHALL  
19 TERMINATE WHEN THE NUMBER OF ENTRY PERMITS] for the fishery [IS  
20 REDUCED TO THE OPTIMUM]. The unexpended balance of appropriations made  
21 to a buy-back fund for a fishery shall lapse back into the fund from which the money  
22 was appropriated at the end of the fiscal year in which the buy-back program is  
23 terminated.