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**OFFICE OF THE LIEUTENANT GOVERNOR  
ALASKA**

**MEMORANDUM**

**TO:** Doug Rickey, AAC Contact  
Commercial Fisheries Entry Commission

**FROM:** Scott Meriwether, Special Assistant   
907.465.4081

**DATE:** October 19, 2016

**RE:** Filed Permanent Regulations: Commercial Fisheries Entry Commission

Regulation re: Reduced permit fees, temporary emergency transfer of entry permits (20 AAC 05.245; 20 AAC 05.250; 20 AAC 05.1725; 20 AAC 05.1740; 20 AAC 05.1910)

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Attorney General File:	JU2016200641
Regulation Filed:	October 17, 2016
Effective Date:	November 16, 2016
Print:	220, January 2017

cc with enclosures: Linda Miller, Department of Law  
Dianne Blumer, Administrative Regulation Review Committee  
Judy Herndon, LexisNexis

ORDER CERTIFYING THE CHANGES TO REGULATIONS OF THE  
COMMERCIAL FISHERIES ENTRY COMMISSION

The attached six (6) pages of regulations, dealing with estimated permit values, permit renewal fees, and temporary emergency transfers of entry permits pending permanent transfer, are certified to be a correct copy of the regulation changes that the Commercial Fisheries Entry Commission adopted at its September 29, 2016 meeting, under the authority of AS 16.43.110 and after compliance with the Administrative Procedure Act (AS 44.62), specifically including notice under AS 44.62.190 and 44.62.200 and opportunity for public comment under AS 44.62.210.

This action is not expected to require an increased appropriation.


One public comment was received, and the Commercial Fisheries Entry Commission paid special attention to the cost to private persons of the regulatory action being taken.

The regulation changes described in this order take effect on the 30th day after they have been filed by the lieutenant governor, as provided in AS 44.62.180.

Date: October 3, 2016  
Juneau, Alaska

  
\_\_\_\_\_  
Bruce Twomley, Commissioner

FILING CERTIFICATION

I, , Lieutenant Governor for the State of Alaska, certify that on 10/17, 2016 at 5:16 p.m., I filed the attached regulations according to the provisions of AS 44.62.040-44.62.120.

  
\_\_\_\_\_  
Lieutenant Governor

Effective: November 16, 2016

Register: 220, January 2017

Register 220, January 2016 MISCELLANEOUS BOARDS

20 AAC 05.245(a) is amended to read: *Publisher: No change to 20 AAC 05.245(a).*

~~(a) The commission will determine, on a yearly basis, the annual fee for the issuance or renewal of an entry permit or interim-use permit according to the following:~~

(1) the annual base fee for the issuance or renewal of an entry permit or interim-use permit in a limited fishery is four-tenths of one percent of the estimated value of the entry permit, as determined under 20 AAC 05.1990, rounded to the nearest fee class amount established in (4) of this subsection; if insufficient data are available to determine the estimated value of an entry permit or no permit sale values have been recorded for the most recent three years, the annual fee in a limited fishery will be calculated according to (2) or

(3) of the subsection;

*20 AAC 05.245(a)(3) is amended to read:*

~~(2) the annual base fee for the issuance or renewal of an interim-use permit in an unlimited fishery is four-tenths of one percent of the estimated average gross earnings per permit in the most recent three years for which data are available, rounded to the nearest fee class amount established in (4) of this subsection;~~

*Publisher: 20 AAC 05.245(a)(2) is unchanged*

(3) notwithstanding (1) and (2) of this subsection, and subject to the limits for an annual base fee in AS 16.43.160(e), the commission may make an appropriate adjustment to an annual base fee if

*Publisher: 20 AAC 05.245(a)(3)(A)-(B) are unchanged.*

~~(A) more than one permit type allows the directed harvest of the same species with the same gear in the same area or if one permit allows the directed harvest of the same species by a combination of gears in the same area; or~~

~~(B) strict application of (1) and (2) of this subsection results in an annual base fee that is not appropriate in light of the rate of economic return for the fisheries covered by that permit;~~



20 AAC 05.245(c) is amended to read:

(c) A resident of this state may apply for a reduced fee for the issuance of an interim-use permit or the annual renewal of an interim-use or entry permit if the resident's total family income, as defined for the food stamp program in 7 C.F.R. 273.9 – 273.11, as revised as of January 1, 2016 [2015] and adopted by reference, falls within the poverty guidelines published by the United States Department of Health and Human Services, in the Federal Register on bold/ul January 25, 2016 JANUARY 23, [2015] and adopted by reference, and the resident's assets and resources do not exceed those established for the food stamp program in 7 C.F.R. 273.8, as revised as of January 1, 2016 [2015] and adopted by reference. The reduced fee for a resident entry or interim-use permit is 50 percent of the annual base fee determined under (a)(1) – (6) of this section. 7

20 AAC 05.245(d) is amended to read:

(d) A nonresident may apply for a reduced base fee for the issuance of an interim-use permit or the annual renewal of an interim-use or entry permit if the nonresident's total family income, as defined for the food stamp program in 7 C.F.R. 273.9 – 273.11, as revised as of January 1, 2016 [2015] and adopted by reference, falls within the poverty guidelines published by the United States Department of Health and Human Services, in the Federal Register on bold/ul January 25, 2016 JANUARY 23, [2015] and adopted by reference, and the nonresident's assets and resources do not exceed those established for the food stamp program in 7 C.F.R. 273.8, as revised as of January 1, 2016 [2015] and adopted by reference. The reduced base fee for a nonresident entry or interim-use permit is 50 percent of the total fee determined under (a)(4) of this section. In addition to the reduced annual base fee, a nonresident who qualifies for a reduced fee shall pay the annual nonresident surcharge determined under (a)(7) of this section.



20 AAC 05.245(e) is amended to read:

(e) An applicant for a reduced fee under (c) or (d) of this section must apply on the 2017 [2016] *Federal Income Guidelines and Reduced Permit Fee Application*, provided by the commission, as revised as of July 2016 [2015] and adopted by reference, and must provide the documentation identified on that form. (Eff. 10/27/2001, Register 160; am 5/16/2002, Register 162; am 12/21/2002, Register 164; am 12/6/2003, Register 168; am 12/1/2004, Register 172; am 11/6/2005, Register 176; am 10/28/2006, Register 180; am 11/10/2007, Register 184; am 11/23/2008, Register 188; am 11/20/2009, Register 192; am 12/31/2010, Register 196; am 12/25/2011, Register 200; am 12/27/2012, Register 204; am 12/25/2013, Register 208; am 11/13/2014, Register 212; am 11/4/2015, Register 216; am 11 / 16 / 2016, Register 220)

<b>Authority:</b>	AS 16.43.100	AS 16.43.140	AS 16.43.160
	AS 16.43.110	AS 16.43.150	AS 16.43.990

**Editor's note:** A copy of the Commercial Fisheries Entry Commission's form 2017 [2016] *Federal Income Guidelines and Reduced Permit Fee Application* adopted by reference in 20 AAC 05.245 may be obtained from the Commercial Fisheries Entry Commission, 8800 Glacier Hwy., Suite 109, P.O. Box 110302, Juneau, AK 99811-0302. The form is also available at the Commercial Fisheries Entry Commission's website at <http://www.cfec.state.ak.us/>.

20 AAC 05.250(b) is amended to read:

(b) Instead of the \$100 application fee required under (a) of this section, an applicant may pay a fee of \$50 if the applicant's total family income, as defined for the food stamp program in 7 C.F.R. 273.9 – 273.11, as revised as of January 1, 2016 [2015] and adopted by reference, falls within the poverty guidelines published by the United States Department of Health and Human Services, in the Federal Register on January 25, 2016

"malign"

Register 220, January 201<sup>⑦</sup><sub>6</sub> MISCELLANEOUS BOARDS  
JANUARY 22,

[2015] and adopted by reference, and the applicant's assets and resources do not exceed those established for the food stamp program in 7 C.F.R. 273.8, as revised as of January 1, **2016** [2015] and adopted by reference. (Eff. 1/30/87, Register 101; am 1/1/2000, Register 152; am 5/16/2002, Register 162; am 12/21/2002, Register 164; am 12/6/2003, Register 168; am 12/1/2004, Register 172; am 11/6/2005, Register 176; am 10/28/2006, Register 180; am 11/10/2007, Register 184; am 11/23/2008, Register 188; am 11/20/2009, Register 192; am 12/25/2011, Register 200; am 12/27/2012, Register 204; am 12/25/2013, Register 208; am 11/13/2014, Register 212; am 11/4/2015, Register 216; am 11 / 16 / 2016, Register 220)

**Authority:** AS 16.43.100 AS 16.43.110

20 AAC 05.1725 (c)<sup>(3)</sup> is amended to read: *Publisher: 20 AAC 05.1725(c)(1)-(2) are unchanged*

~~(c) In addition to the requirements under (b) of this section, the proposed transferee shall certify on the request form an understanding that the transferee~~

~~(1) is authorized to hold a second entry permit for the purpose of fleet consolidation under AS 16.43.140(c)(5);~~

~~(2) may not engage in fishing under the second permit and will not be issued a permit card for the second permit; and~~

~~(3) may not emergency transfer the second permit, except under 20 AAC 05.1946(3)(B).~~

← (Eff. 12/21/2002, Register 164; am 11/20/2009, Register 192; am 11 / 16 / 2016, Register 220)

**Authority:** *AS 16.43.100 AS 16.43.140 AS 16.43.170*  
*AS 16.43.110*

20 AAC 05.1740(b) is amended to read:

(b) The commission will grant an emergency transfer of an entry permit if the proposed transferee is not a permit holder in the fishery and is presently able to participate

actively in the fishery, and if it is established that illness, disability, death, required military or government service, or other unavoidable hardship of a temporary, unexpected, and unforeseen nature prevents the transferor from participating in the fishery. If the entry permit is not transferable under AS 16.43.170(e), the emergency transfer will be granted only to allow the continued operation of the transferor's vessel or setnet site and fishing gear or, in the dive fisheries, the transferor's dive fishery operation. Temporary emergency transfer of an interim-use permit issued under AS 16.43.210(b), 16.43.225, or 16.43.227 or of a permit held by an estate will be granted by the commission to alleviate hardship.

Temporary emergency transfer of an interim-use permit in an unlimited fishery issued under AS 16.43.210(a), will be granted by the commission if reasonably necessary in order for the fishing operation to continue until another permit may be obtained. The

commission may grant a temporary emergency transfer of an entry permit to a proposed permanent transferee to alleviate hardship if the intent to permanently transfer the entry permit cannot presently be fulfilled in spite of substantial and good faith efforts to do so.

← (Eff. 12/18/74, Register 52; am 12/27/79, Register 72; am 5/15/81, Register 77; am 1/29/82, Register 81; am 10/30/82, Register 84; am 6/5/83, Register 86; am 2/29/84, Register 89; am 5/20/90, Register 114; am 1/2/92, Register 121; am 7/3/94, Register 130; am 12/29/2000, Register 156, am 11/20/2009, Register 192; am 12/31/2010, Register 196 am 12/25/2013, Register 208; am 11 / 16 / 2016, Register 220)

**Authority:** AS 16.43.100                      AS 16.43.180                      AS 16.43.227  
AS 16.43.110                      AS 16.43.225

20 AAC 05.1910(h) is amended to read:

(h) The fee to process permanent transfers and emergency transfers of interim-use and entry permits is \$50. Instead of the \$50 processing fee, the transferor or transferee may



Register 220, January 201<sup>9</sup>~~8~~ MISCELLANEOUS BOARDS

pay a fee of \$25 if both the transferor and transferee's total family incomes, as defined for the food stamp program in 7 C.F.R. 273.9 – 273.11, as revised as of January 1, 2016 [2015] and adopted by reference, fall within the poverty guidelines published by the United States Department of Health and Human Services, in the Federal Register on January 25, 2016 <sup>add/ul</sup> ~~JANUARY 22,~~ [2015] and adopted by reference, and neither the transferor's or transferee's assets and resources exceed those established for the food stamp program in 7 C.F.R. 273.8, as revised as of January 1, 2016 [2015] and adopted by reference.

← (Eff. 12/18/74, Register 52; am 11/26/87, Register 104; am 7/16/94, Register 131; am 5/4/95, Register 134; am 10/7/95, Register 136; am 12/29/2000, Register 156; am 10/31/2001, Register 160; am 5/6/2002, Register 162; am 12/21/2002, Register 164; am 12/6/2003, Register 168; am 12/1/2004, Register 172; am 11/6/2005, Register 176; am 10/28/2006, Register 180; am 11/10/2007, Register 184; am 11/23/2008, Register 188; am 11/20/2009, Register 192; am 12/31/2010, Register 196; am 12/25/2011, Register 200; am 12/27/2012, Register 204; am 12/25/2013, Register 208; am 11/13/2014, Register 212; am 11/4/2015, Register 216; am 11 / 16 / 2016, Register 220)

**Authority:** AS 16.05.520

AS 16.43.110

AS 16.43.100

AS 16.43.160

# MEMORANDUM

## State of Alaska

Department of Law

**To:** The Honorable Byron Mallott  
Lieutenant Governor

**Date:** October 13, 2016

**File:** JU2016200641

**Tele.:** 465-3600

**From:** Susan R. Pollard *SRP*  
Chief Assistant Attorney General  
and Regulations Attorney  
Legislation and Regulations Section

**Re:** Regulation re: 20 AAC  
05.245, .250, .1725, .1740,  
.1910: CFEC: Reduced permit  
fees, temporary emergency  
transfer of entry permits

We have reviewed the attached changes by the Commercial Fisheries Entry Commission to these regulations and approve the changes for filing by the lieutenant governor. *The commission requests these be filed as soon as possible with a desired effective date of November 15, 2016.*

The commission allows a reduction in the permit fees when an applicant can show their annual income is within federal poverty guidelines and food stamp limits. The commission annually amends its forms to match the federal law changes in time to be reflected on the annual renewal forms sent out early each November. Although the commission's proposed regulations referenced the updated federal law and *2017 Federal Income Guidelines and Reduced Permit Fee Application*, it appears the commission did not post copies of this updated form to be adopted by reference with the regulations on the Alaska Online Public Notice System. However the application form has existed for many years, and is updated annually to reflect the current year. We have compared the 2016 form with the 2017 and find that except for the adjusted income levels (updated to reflect federal law); the form is the same as the 2016 form. Further, the commission had the 2017 form and updated federal materials available for the public at its September 29, 2016. Therefore, we conclude that the commission's apparent omission to post copies to these materials is not a substantial failure to comply with the Alaska Administrative Procedure Act. This memorandum constitutes the written statement of approval under AS 44.62.060(b) and (c) that authorizes your office to file the attached regulations.

The July 15, 2016 public notice and the October 3, 2016 certification of adoption both state that this action is not expected to require an increased appropriation. Therefore, a fiscal note under AS 44.62.195 is not required.

We have made some technical corrections to conform the regulations in accordance with AS 44.62.125. The corrections are shown on the attached copy of the regulations.

SRP:srp

cc w/encl. (by email):

Honorable Bruce Twomley, Commissioner  
Commercial Fisheries Entry Commission

Doug Rickey, Law Specialist and Regulations Contact  
Commercial Fisheries Entry Commission

Thomas Lenhart, Senior Assistant Attorney General  
Natural Resources Section



NOTICE OF PROPOSED CHANGES IN REGULATIONS  
AND OF A PUBLIC MEETING

COMMERCIAL FISHERIES ENTRY COMMISSION

BRIEF DESCRIPTION
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The Commercial Fisheries Entry Commission proposes to change regulations regarding estimated permit values, permit renewal fees, and temporary emergency transfers of entry permits pending permanent transfer.
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The Alaska Commercial Fisheries Entry Commission proposes to adopt regulation changes in Title 20, Chapter 05 of the Alaska Administrative Code dealing with miscellaneous regulations, including the following:

The Commission proposes to:

1. Amend 20 AAC 05.245(a)(1) to clarify that the same estimated permit values are used for both setting permit renewal fees and determining appraised value for loans under 20 AAC 05.1990;
2. Amend 20 AAC 05.245(a)(3) to correct a consistency error in the regulation allowing the commission in certain circumstances to adjust permit renewal fees based on estimated permit values;
3. Amend 20 AAC 05.245(c-e), 20 AAC 05.250(b), and 20 AAC 05.1910(h) to update the references to the federal guidelines used to determine eligibility for reduced permit fees;
4. Amend 20 AAC 05.1725(c) to conform to a 2015 change to 20 AAC 05.1946(3)(B) regarding the emergency transfer of second salmon permits; and
5. Amend 20 AAC 05.1740(b) to allow the temporary emergency transfer of an entry permit to avoid hardship when an intent to permanently transfer the permit cannot presently be fulfilled in spite of substantial, good faith efforts to do so.

You may comment on the proposed regulation changes, including the potential costs to private persons of complying with the proposed changes, by submitting written comments to Doug Rickey at Commercial Fisheries Entry Commission, 8800 Glacier Highway, Suite 109, P.O. Box 110302, Juneau, AK 99801-8079 or by email: [doug.rickey@alaska.gov](mailto:doug.rickey@alaska.gov). The comments must be received **no later than 5:00 p.m. on August 22, 2016**.

If you are a person with a disability who may need a special accommodation in order to participate in this process, please contact Doug Rickey at (907) 789-6160 no later than August 17, 2016, to ensure that any necessary accommodations can be provided.

A copy of the proposed regulation changes is available online at the Alaska Online Public Notice System at <https://aws.state.ak.us/OnlinePublicNotices/Default.aspx> or at the Commercial Fisheries Entry Commission webpage at <http://www.cfec.state.ak.us>; or you may contact Doug Rickey, Law Specialist, Commercial Fisheries Entry Commission, 8800 Glacier Highway, Suite 109, P.O. Box 110302, Juneau, AK 99801-8079, (907) 789-6160, Fax: (907) 789-6170, email [doug.rickey@alaska.gov](mailto:doug.rickey@alaska.gov).

After the public comment period ends, the Commercial Fisheries Entry Commission will either adopt these or other provisions dealing with the same subject without further notice, or decide to take no action on them. The language of the final regulations may be different from that of the proposed regulations. **YOU SHOULD COMMENT DURING THE TIME ALLOWED IF YOUR INTERESTS COULD BE AFFECTED.** Written comments received are public records and are subject to public inspection.

**Statutory Authority:** AS 16.43.100; AS 16.43.110(a)

**Statutes Being Implemented, Interpreted, or Made Specific:** AS 16.43.100; AS 16.43.110; AS 16.43.140; AS 16.43.150; AS 16.43.160; AS 16.43.170; and AS 16.43.180.

**Fiscal Information:** The proposed regulation changes are not expected to require an increased appropriation.

Under the Open Meetings Act (AS 44.62.310), the Commission will conduct a public meeting in the Commission's Conference Room, 8800 Glacier Highway, Suite 109, Juneau, Alaska, on **August 24, 2016 at 3:30 p.m.** to consider action upon the proposed regulations. You can contact Doug Rickey for a copy of the agenda on the Friday before the scheduled meeting. No public testimony will be accepted at this meeting.

The Commission keeps a list of individuals and organizations interested in its regulations. Those on the list will automatically be sent a copy of all of the Commission's Notice of Proposed Regulation Changes. To be added to or removed from the list, send a request to CFEC at 8800 Glacier Highway, Suite 109, P.O. Box 110302, Juneau, AK 99801-8079, or email: [doug.rickey@alaska.gov](mailto:doug.rickey@alaska.gov), giving your name, and either your email address or mailing address, as you prefer for receiving notices.

By Direction of the  
Commercial Fisheries Entry Commission  
Bruce Twomley, Chairman  
Benjamin Brown, Commissioner

/s/ Bruce Twomley

Date: July 15, 2016.

ADDITIONAL REGULATION NOTICE INFORMATION  
(AS 44.62.190(d))<sup>1</sup>

1. Adopting agency: Commercial Fisheries Entry Commission
2. General subject of regulation: Amends regulations on estimated permit values, permit renewal fees, and temporary emergency transfers of entry permits pending permanent transfer.
3. Citation of regulation (may be grouped): 20 AAC 05.245, 250, 1725, 1740, and 1910.
4. Department of Law file number, if any: \_\_\_\_\_
5. Reason for the proposed action:  
  
☐ Compliance with federal law or action (identify): \_\_\_\_\_  
☐ Compliance with new or changed state statute  
☐ Compliance with federal or state court decision (identify): \_\_\_\_\_  
☒ Development of program standards  
☐ Other (identify): \_\_\_\_\_
6. Appropriation/Allocation: Commercial Fisheries/Commercial Fisheries Entry Commission
7. Estimated annual cost to comply with the proposed action to:  
  
A private person: -0-  
Another state agency: -0-  
A municipality: -0-
8. Cost of implementation to the state agency and available funding (in thousands of dollars):

	Initial Year FY <u>2017</u>	Subsequent Years
Operating Cost	\$ <u>-0-</u>	\$ <u>-0-</u>
Capital Cost	\$ <u>-0-</u>	\$ <u>-0-</u>
1002 Federal receipts	\$ <u>-0-</u>	\$ <u>-0-</u>
1003 General fund match	\$ <u>-0-</u>	\$ <u>-0-</u>
1004 General fund	\$ <u>-0-</u>	\$ <u>-0-</u>
1005 General fund/ program	\$ <u>-0-</u>	\$ <u>-0-</u>



Other (identify)                      \$ -0-                      \$ -0-

9.      The name of the contact person for the regulation:

Name: Doug Rickey

Title: Law Specialist

Address: 8800 Glacier Hwy., Ste. 109; PO Box 110302; Juneau, AK 99811-0302

Telephone: (907) 789-6160

E-mail address: doug.rickey@alaska.gov

10.     The origin of the proposed action:

  x        Staff of state agency

            Federal government

            General public

            Petition for regulation change

            Other (identify): \_\_\_\_\_

11.     Date: July 19, 2016

Prepared by: /s/ Doug Rickey

[signature]

Name (printed): Doug Rickey

Title (printed): Law Specialist

Telephone: ( 907) 789-6160

SUPPLEMENTAL NOTICE OF PROPOSED CHANGES IN REGULATIONS  
AND OF A PUBLIC MEETING

COMMERCIAL FISHERIES ENTRY COMMISSION

BRIEF DESCRIPTION
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The Commercial Fisheries Entry Commission proposes to change regulations regarding estimated permit values, permit renewal fees, and temporary emergency transfers of entry permits pending permanent transfer.
---

The Alaska Commercial Fisheries Entry Commission proposes to adopt regulation changes in Title 20, Chapter 05 of the Alaska Administrative Code dealing with miscellaneous regulations, including the following:

The Commission proposes to:

1. Amend 20 AAC 05.245(a)(1) to clarify that the same estimated permit values are used for both setting permit renewal fees and determining appraised value for loans under 20 AAC 05.1990;
2. Amend 20 AAC 05.245(a)(3) to correct a consistency error in the regulation allowing the commission in certain circumstances to adjust permit renewal fees based on estimated permit values;
3. Amend 20 AAC 05.245(c-e), 20 AAC 05.250(b), and 20 AAC 05.1910(h) to update the references to the federal guidelines used to determine eligibility for reduced permit fees;
4. Amend 20 AAC 05.1725(c) to conform to a 2015 change to 20 AAC 05.1946(3)(B) regarding the emergency transfer of second salmon permits; and
5. Amend 20 AAC 05.1740b) to allow the temporary emergency transfer of an entry permit to avoid hardship when an intent to permanently transfer the permit cannot presently be fulfilled in spite of substantial, good faith efforts to do so.

You may comment on the proposed regulation changes, including the potential costs to private persons of complying with the proposed changes, by submitting written comments to Doug Rickey at Commercial Fisheries Entry Commission, 8800 Glacier Highway, Suite 109, P.O. Box 110302, Juneau, AK 99801-8079 or by email: [doug.rickey@alaska.gov](mailto:doug.rickey@alaska.gov). The comments must be received **no later than 5:00 p.m. on September 23, 2016.**

If you are a person with a disability who may need a special accommodation in order to participate in this process, please contact Doug Rickey at (907) 789-6160 no later than September 16, 2016, to ensure that any necessary accommodations can be provided.

A copy of the proposed regulation changes is available online at the Alaska Online Public Notice System at <https://aws.state.ak.us/OnlinePublicNotices/Default.aspx> or at the Commercial Fisheries Entry Commission webpage at <http://www.cfec.state.ak.us>; or you may contact Doug Rickey, Law Specialist, Commercial Fisheries Entry Commission, 8800 Glacier Highway, Suite 109, P.O. Box 110302, Juneau, AK 99801-8079, (907) 789-6160, Fax: (907) 789-6170, email [doug.rickey@alaska.gov](mailto:doug.rickey@alaska.gov).

After the public comment period ends, the Commercial Fisheries Entry Commission will either adopt these or other provisions dealing with the same subject without further notice, or decide to take no action on them. The language of the final regulations may be different from that of the proposed regulations. **YOU SHOULD COMMENT DURING THE TIME ALLOWED IF YOUR INTERESTS COULD BE AFFECTED.** Written comments received are public records and are subject to public inspection.

**Statutory Authority:** AS 16.43.100; AS 16.43.110(a)

**Statutes Being Implemented, Interpreted, or Made Specific:** AS 16.43.100; AS 16.43.110; AS 16.43.140; AS 16.43.150; AS 16.43.160; AS 16.43.170; and AS 16.43.180.

**Fiscal Information:** The proposed regulation changes are not expected to require an increased appropriation.

Under the Open Meetings Act (AS 44.62.310), the Commission will conduct a public meeting in the Commission's Conference Room, 8800 Glacier Highway, Suite 109, Juneau, Alaska, on **September 29, 2016 at 3:30 p.m.** to consider action upon the proposed regulations. You can contact Doug Rickey for a copy of the agenda on the Friday before the scheduled meeting. No public testimony will be accepted at this meeting.

The Commission keeps a list of individuals and organizations interested in its regulations. Those on the list will automatically be sent a copy of all of the Commission's Notice of Proposed Regulation Changes. To be added to or removed from the list, send a request to CFEC at 8800 Glacier Highway, Suite 109, P.O. Box 110302, Juneau, AK 99801-8079, or email: [doug.rickey@alaska.gov](mailto:doug.rickey@alaska.gov), giving your name, and either your email address or mailing address, as you prefer for receiving notices.

This is a SUPPLEMENTAL NOTICE adding to the NOTICE OF PROPOSED CHANGES IN REGULATIONS AND OF A PUBLIC MEETING dated July 15, 2016, concerning these proposed regulation revisions contained in the Department of Law file number JU2016200641. This SUPPLEMENTAL NOTICE is being issued because the Commercial Fisheries Entry Commission has decided to extend the public comment period on these proposed revisions to September 23, 2016, and change the date of the public meeting to September 29, 2016.

By Direction of the  
Commercial Fisheries Entry Commission  
Bruce Twomley, Chairman  
Benjamin Brown, Commissioner

/s/ Bruce Twomley

Date: August 5, 2016.



SUPPLEMENTAL ADDITIONAL REGULATION NOTICE INFORMATION  
(AS 44.62.190(d))

1. Adopting agency: Commercial Fisheries Entry Commission
2. General subject of regulation: Amends regulations on estimated permit values, permit renewal fees, and temporary emergency transfers of entry permits pending permanent transfer.
3. Citation of regulation (may be grouped): 20 AAC 05.245, 250, 1725, 1740, and 1910.
4. Department of Law file number, if any: JU2016200641
5. Reason for the proposed action:  
  
☐ Compliance with federal law or action (identify): \_\_\_\_\_  
☐ Compliance with new or changed state statute  
☐ Compliance with federal or state court decision (identify): \_\_\_\_\_  
☒ Development of program standards  
☐ Other (identify): \_\_\_\_\_
6. Appropriation/Allocation: Commercial Fisheries/Commercial Fisheries Entry Commission
7. Estimated annual cost to comply with the proposed action to:  
  
A private person: -0-  
Another state agency: -0-  
A municipality: -0-
8. Cost of implementation to the state agency and available funding (in thousands of dollars):

	Initial Year FY <u>2017</u>	Subsequent Years
Operating Cost	\$ <u>-0-</u>	\$ <u>-0-</u>
Capital Cost	\$ <u>-0-</u>	\$ <u>-0-</u>
1002 Federal receipts	\$ <u>-0-</u>	\$ <u>-0-</u>
1003 General fund match	\$ <u>-0-</u>	\$ <u>-0-</u>
1004 General fund	\$ <u>-0-</u>	\$ <u>-0-</u>
1005 General fund/ program	\$ <u>-0-</u>	\$ <u>-0-</u>

Other (identify) \$ -0- \$ -0-

9. The name of the contact person for the regulation:

Name: Doug Rickey  
 Title: Law Specialist  
 Address: 8800 Glacier Hwy., Ste. 109; PO Box 110302; Juneau, AK 99811-0302  
 Telephone: (907) 789-6160  
 E-mail address: doug.rickey@alaska.gov

10. The origin of the proposed action:

  x   Staff of state agency  
      Federal government  
      General public  
      Petition for regulation change  
      Other (identify): \_\_\_\_\_

11. Date: August 5, 2016 Prepared by: /s/ Doug Rickey  
[signature]  
Name (printed): Doug Rickey  
Title (printed): Law Specialist  
Telephone: ( 907 ) 789-6160

)

AFFIDAVIT OF NOTICE OF PROPOSED REGULATIONS  
AND FURNISHING OF ADDITIONAL INFORMATION

I, Bruce Twomley, Commissioner, Commercial Fisheries Entry Commission, being sworn, state the following:

As required by AS 44.62.190, notice of the proposed adoption of changes to regulations on estimated permit values, permit renewal fees, and temporary emergency transfers of entry permits pending permanent transfer has been given by being

- (1) published in a newspaper or trade publication;
- (2) furnished to interested persons;
- (3) furnished to appropriate state officials;
- (4) furnished to the Department of Law, along with a copy of the proposed regulation;
- (5) furnished electronically to incumbent State of Alaska legislators;
- (6) furnished to the Legislative Affairs Agency, Division of Legal and Research Services;
- (7) posted on the Alaska Online Public Notice System as required by AS 44.62.175(a)(1) and (b) and 44.62.190(a)(1);
- (8) furnished electronically, along with a copy of the proposed regulation, to the Legislative Affairs Agency, the chair of the Resources Committee of the Alaska Senate and House of Representatives, the Administrative Regulation Review Committee, and the legislative council.

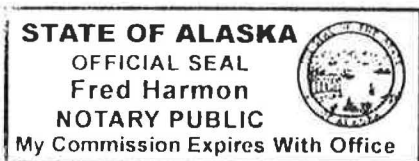
As required by AS 44.62.190, additional regulation notice information regarding the proposed adoption of the regulation changes described above has been furnished to interested persons and those in (5) and (6) of the list above. The additional regulation notice information also has been posted on the Alaska Online Public Notice System.

Date: October 3, 2016

## Bruce Twomley

Subscribed and sworn to before me at Nuneau Alaska on  
10/3/2014.  
(date)

Paul Harmon  
Notary Public in and for the State of Alaska





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#1389739  
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# AFFIDAVIT OF PUBLICATION

STATE OF ALASKA  
THIRD JUDICIAL DISTRICT

Emma Dunlap  
being first duly sworn on oath  
deposes and says that she is  
a representative of the  
Alaska Dispatch News, a  
daily newspaper. That said  
newspaper has been approved  
by the Third Judicial Court,  
Anchorage, Alaska, and it now  
and has been published in the  
English language continually as a  
daily newspaper in Anchorage,  
Alaska, and it is now and during  
all said time was printed in an  
office maintained at the aforesaid  
place of publication of said  
newspaper. That the annexed is  
a copy of an advertisement as it  
was published in regular issues  
(and not in supplemental form)  
of said newspaper on

July 20, 2016

and that such newspaper was  
regularly distributed to its  
subscribers during all of said  
period. That the full amount of  
the fee charged for the foregoing  
publication is not in excess of  
the rate charged private individuals.

Signed

*Emma Dunlap*

Subscribed and sworn to before

me this

8

day of

Sept

20

*Britney Thompson*

Notary Public in and for  
The State of Alaska.  
Third Division  
Anchorage, Alaska  
MY COMMISSION EXPIRES

BRITNEY L. THOMPSON  
Notary Public  
State of Alaska  
My Commission Expires Feb 23, 2019

## NOTICE OF PROPOSED CHANGES IN REGULATIONS AND OF A PUBLIC MEETING COMMERCIAL FISHERIES ENTRY COMMISSION

The Commercial Fisheries Entry Commission proposes to change regulations regarding estimated permit values, permit renewal fees, and temporary emergency transfers of entry permits pending permanent transfer

The Alaska Commercial Fisheries Entry Commission proposes to adopt regulation changes in Title 20, Chapter 05 of the Alaska Administrative Code dealing with miscellaneous regulations, including the following:

The Commission proposes to:

1. Amend 20 AAC 05.245(a)(1) to clarify that the same estimated permit values are used for both setting permit renewal fees and determining appraised value for loans under 20 AAC 05.1990;
2. Amend 20 AAC 05.245(a)(3) to correct a consistency error in the regulation allowing the commission in certain circumstances to adjust permit renewal fees based on estimated permit values;
3. Amend 20 AAC 05.245(c-e), 20 AAC 05.250(b), and 20 AAC 05.1910(h) to update the references to the federal guidelines used to determine eligibility for reduced permit fees;
4. Amend 20 AAC 05.1725(c) to conform to a 2015 change to 20 AAC 05.1946(B)(3) regarding the emergency transfer of second salmon permits; and
5. Amend 20 AAC 05.1740b) to allow the temporary emergency transfer of an entry permit to avoid hardship when an intent to permanently transfer the permit cannot presently be fulfilled in spite of substantial, good faith efforts to do so.

You may comment on the proposed regulation changes, including the potential costs to private persons of complying with the proposed changes, by submitting written comments to Doug Rickey at Commercial Fisheries Entry Commission, 8800 Glacier Highway, Suite 109, P.O. Box 110302, Juneau, AK 99801-8079 or by email: [doug.rickey@alaska.gov](mailto:doug.rickey@alaska.gov). The comments must be received **no later than 5:00 p.m. on August 22, 2016**.

If you are a person with a disability who may need a special accommodation in order to participate in this process, please contact Doug Rickey at (907) 789-6160 no later than August 17, 2016, to ensure that any necessary accommodations can be provided.

A copy of the proposed regulation changes is available online at the Alaska Online Public Notice System at <https://aws.state.ak.us/OnlinePublicNotices/Default.aspx> or at the Commercial Fisheries Entry Commission webpage at <http://www.cfec.state.ak.us>; or you may contact Doug Rickey, Law Specialist, Commercial Fisheries Entry Commission, 8800 Glacier Highway, Suite 109, P.O. Box 110302, Juneau, AK 99801-8079, (907) 789-6160, Fax: (907) 789-6170, email [doug.rickey@alaska.gov](mailto:doug.rickey@alaska.gov).

After the public comment period ends, the Commercial Fisheries Entry Commission will either adopt these or other provisions dealing with the same subject without further notice, or decide to take no action on them. The language of the final regulations may be different from that of the proposed regulations. **YOU SHOULD COMMENT DURING THE TIME ALLOWED IF YOUR INTERESTS COULD BE AFFECTED.** Written comments received are public records and are subject to public inspection.

**Statutory Authority:** AS 16.43.100; AS 16.43.110(a)

**Statutes Being Implemented, Interpreted, or Made Specific:** AS 16.43.100; AS 16.43.110; AS 16.43.140; AS 16.43.150; AS 16.43.160; AS 16.43.170; and AS 16.43.180.

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# AFFIDAVIT OF PUBLICATION

STATE OF ALASKA  
THIRD JUDICIAL DISTRICT

Emma Dunlap  
being first duly sworn on oath  
deposes and says that she is  
a representative of the  
Alaska Dispatch News, a  
daily newspaper. That said  
newspaper has been approved  
by the Third Judicial Court,  
Anchorage, Alaska, and it now  
and has been published in the  
English language continually as a  
daily newspaper in Anchorage,  
Alaska, and it is now and during  
all said time was printed in an  
office maintained at the aforesaid  
place of publication of said  
newspaper. That the annexed is  
a copy of an advertisement as it  
was published in regular issues  
(and not in supplemental form)  
of said newspaper on

August 8, 2016

and that such newspaper was  
regularly distributed to its  
subscribers during all of said  
period. That the full amount of  
the fee charged for the foregoing  
publication is not in excess of  
the rate charged private individuals.

Signed Emma Dunlap

Subscribed and sworn to before

me this 8 day of Sept

2016  
Britney Thompson

Notary Public in and for  
The State of Alaska,  
Third Division  
Anchorage, Alaska  
MY COMMISSION EXPIRES

Notary Public

BRITNEY L. THOMPSON

State of Alaska

My Commission Expires Feb 23, 2019

## SUPPLEMENTAL NOTICE OF PROPOSED CHANGES IN REGULATIONS AND OF A PUBLIC MEETING

### COMMERCIAL FISHERIES ENTRY COMMISSION

#### BRIEF DESCRIPTION

The Commercial Fisheries Entry Commission proposes to change regulations regarding estimated permit values, permit renewal fees, and temporary emergency transfers of entry permits pending permanent transfer.

The Alaska Commercial Fisheries Entry Commission proposes to adopt regulation changes in Title 20, Chapter 05 of the Alaska Administrative Code dealing with miscellaneous regulations, including the following:

The Commission proposes to:

1. Amend 20 AAC 05.245(a)(1) to clarify that the same estimated permit values are used for both setting permit renewal fees and determining appraised value for loans under 20 AAC 05.1990;
2. Amend 20 AAC 05.245(a)(3) to correct a consistency error in the regulation allowing the commission in certain circumstances to adjust permit renewal fees based on estimated permit values;
3. Amend 20 AAC 05.245(c-e), 20 AAC 05.250(b), and 20 AAC 05.1910(h) to update the references to the federal guidelines used to determine eligibility for reduced permit fees;
4. Amend 20 AAC 05.1725(c) to conform to a 2015 change to 20 AAC 05.1946(3)(B) regarding the emergency transfer of second salmon permits; and
5. Amend 20 AAC 05.1740(b) to allow the temporary emergency transfer of an entry permit to avoid hardship when an intent to permanently transfer the permit cannot presently be fulfilled in spite of substantial, good faith efforts to do so.

You may comment on the proposed regulation changes, including the potential costs to private persons of complying with the proposed changes, by submitting written comments to Doug Rickey at Commercial Fisheries Entry Commission, 8800 Glacier Highway, Suite 109, P.O. Box 110302, Juneau, AK 99801-8079 or by email: doug.rickey@alaska.gov. The comments must be received no later than 5:00 p.m. on September 23, 2016.

If you are a person with a disability who may need a special accommodation in order to participate in this process, please contact Doug Rickey at (907) 789-6160 no later than September 16, 2016, to ensure that any necessary accommodations can be provided.

A copy of the proposed regulation changes is available online at the Alaska Online Public Notice System at <https://aws.state.ak.us/OnlinePublicNotices/Default.aspx> or at the Commercial Fisheries Entry Commission webpage at <http://www.cfec.state.ak.us>; or you may contact Doug Rickey, Law Specialist, Commercial Fisheries Entry Commission, 8800 Glacier Highway, Suite 109, P.O. Box 110302, Juneau, AK 99801-8079, (907) 789-6160, Fax: (907) 789-6170, email doug.rickey@alaska.gov.

After the public comment period ends, the Commercial Fisheries Entry Commission will either adopt these or other provisions dealing with the same subject without further notice, or decide to take no action on them. The language of the final regulations may be different from that of the proposed regulations. YOU SHOULD COMMENT DURING THE TIME ALLOWED IF YOUR INTERESTS COULD BE AFFECTED. Written comments received are public records and are subject to public inspection.

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  ) ss.  
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AFFIDAVIT OF COMMISSION ACTION

I, Randy Lippert, Paralegal for the Commercial Fisheries Entry Commission, being duly sworn, state the following:

The attached motion, dealing with estimated permit values, permit renewal fees, and temporary emergency transfers of entry permits pending permanent transfer, was adopted by the Commercial Fisheries Entry Commission during its September 29, 2016 meeting.

Date: 9/30/16  
Juneau, Alaska

Randy Lippert  
Randy Lippert

SUBSCRIBED AND SWORN TO before me this 30 day of September, 2016

Ronda Stevenson  
Notary Public in and for the State of Alaska



COMMERCIAL FISHERIES ENTRY COMMISSION

September 29, 2016

Excerpt from Unapproved Minutes

Commissioner Brown moved and Commissioner Bruce Twomley seconded the following motion:

I move that we adopt the amendments to 20 AAC 05.245(a)(c) (d) and (e), 250(b), 1725(c), 1740(b), and 1910(h), as proposed on pages one through six in the document before us.

The motion carried unanimously.



20 AAC 05.245(a) is amended to read:

(a) The commission will determine, on a yearly basis, the annual fee for the issuance or renewal of an entry permit or interim-use permit according to the following:

(1) the annual base fee for the issuance or renewal of an entry permit or interim-use permit in a limited fishery is four-tenths of one percent of the estimated value of the entry permit, **as determined under 20 AAC 05.1990**, rounded to the nearest fee class amount established in (4) of this subsection; if insufficient data are available to determine the estimated value of an entry permit or no permit sale values have been recorded for the most recent three years, the annual fee in a limited fishery will be calculated according to (2) or (3) of the subsection;

(2) the annual base fee for the issuance or renewal of an interim-use permit in an unlimited fishery is four-tenths of one percent of the estimated average gross earnings per permit in the most recent three years for which data are available, rounded to the nearest fee class amount established in (4) of this subsection;

(3) notwithstanding **(1) and** (2) of this subsection, and subject to the limits for an annual base fee in AS 16.43.160(e), the commission may make an appropriate adjustment to an annual base fee if

(A) more than one permit type allows the directed harvest of the same species with the same gear in the same area or if one permit allows the directed harvest of the same species by a combination of gears in the same area; or

(B) strict application of (1) and (2) of this subsection results in an annual base fee that is not appropriate in light of the rate of economic return for the fisheries covered by that permit;



20 AAC 05.245(c) is amended to read:

(c) A resident of this state may apply for a reduced fee for the issuance of an interim-use permit or the annual renewal of an interim-use or entry permit if the resident's total family income, as defined for the food stamp program in 7 C.F.R. 273.9 – 273.11, as revised as of January 1, **2016** [2015] and adopted by reference, falls within the poverty guidelines published by the United States Department of Health and Human Services, in the Federal Register on January 25, **2016** [2015] and adopted by reference, and the resident's assets and resources do not exceed those established for the food stamp program in 7 C.F.R. 273.8, as revised as of January 1, **2016** [2015] and adopted by reference. The reduced fee for a resident entry or interim-use permit is 50 percent of the annual base fee determined under (a)(1) – (6) of this section.

20 AAC 05.245(d) is amended to read:

(d) A nonresident may apply for a reduced base fee for the issuance of an interim-use permit or the annual renewal of an interim-use or entry permit if the nonresident's total family income, as defined for the food stamp program in 7 C.F.R. 273.9 – 273.11, as revised as of January 1, **2016** [2015] and adopted by reference, falls within the poverty guidelines published by the United States Department of Health and Human Services, in the Federal Register on January 25, **2016** [2015] and adopted by reference, and the nonresident's assets and resources do not exceed those established for the food stamp program in 7 C.F.R. 273.8, as revised as of January 1, **2016** [2015] and adopted by reference. The reduced base fee for a nonresident entry or interim-use permit is 50 percent of the total fee determined under (a)(4) of this section. In addition to the reduced annual base fee, a nonresident who qualifies for a reduced fee shall pay the annual nonresident surcharge determined under (a)(7) of this section.

20 AAC 05.245(e) is amended to read:

(e) An applicant for a reduced fee under (c) or (d) of this section must apply on the 2017 [2016] *Federal Income Guidelines and Reduced Permit Fee Application*, provided by the commission, as revised as of July 2016 [2015] and adopted by reference, and must provide the documentation identified on that form. (Eff. 10/27/2001, Register 160; am 5/16/2002, Register 162; am 12/21/2002, Register 164; am 12/6/2003, Register 168; am 12/1/2004, Register 172; am 11/6/2005, Register 176; am 10/28/2006, Register 180; am 11/10/2007, Register 184; am 11/23/2008, Register 188; am 11/20/2009, Register 192; am 12/31/2010, Register 196; am 12/25/2011, Register 200; am 12/27/2012, Register 204; am 12/25/2013, Register 208; am 11/13/2014, Register 212; am 11/4/2015, Register 216; am \_\_\_\_/\_\_\_\_/\_\_\_\_, Register \_\_\_\_)

<b>Authority:</b>	AS 16.43.100	AS 16.43.140	AS 16.43.160
	AS 16.43.110	AS 16.43.150	AS 16.43.990

**Editor's note:** A copy of the Commercial Fisheries Entry Commission's form 2017 [2016] *Federal Income Guidelines and Reduced Permit Fee Application* adopted by reference in 20 AAC 05.245 may be obtained from the Commercial Fisheries Entry Commission, 8800 Glacier Hwy., Suite 109, P.O. Box 110302, Juneau, AK 99811-0302. The form is also available at the Commercial Fisheries Entry Commission's website at <http://www.cfec.state.ak.us/>.

20 AAC 05.250(b) is amended to read:

(b) Instead of the \$100 application fee required under (a) of this section, an applicant may pay a fee of \$50 if the applicant's total family income, as defined for the food stamp program in 7 C.F.R. 273.9 – 273.11, as revised as of January 1, 2016 [2015] and adopted by reference, falls within the poverty guidelines published by the United States Department of Health and Human Services, in the Federal Register on January 25, 2016

Register \_\_\_\_, \_\_\_\_\_ 2016 MISCELLANEOUS BOARDS

[2015] and adopted by reference, and the applicant's assets and resources do not exceed those established for the food stamp program in 7 C.F.R. 273.8, as revised as of January 1, **2016** [2015] and adopted by reference. (Eff. 1/30/87, Register 101; am 1/1/2000, Register 152; am 5/16/2002, Register 162; am 12/21/2002, Register 164; am 12/6/2003, Register 168; am 12/1/2004, Register 172; am 11/6/2005, Register 176; am 10/28/2006, Register 180; am 11/10/2007, Register 184; am 11/23/2008, Register 188; am 11/20/2009, Register 192; am 12/25/2011, Register 200; am 12/27/2012, Register 204; am 12/25/2013, Register 208; am 11/13/2014, Register 212; am 11/4/2015, Register 216; am \_\_\_\_/\_\_\_\_/\_\_\_\_, Register \_\_\_\_)

**Authority:** AS 16.43.100 AS 16.43.110

20 AAC 05.1725 (c) is amended to read:

(c) In addition to the requirements under (b) of this section, the proposed transferee shall certify on the request form an understanding that the transferee

(1) is authorized to hold a second entry permit for the purpose of fleet consolidation under AS 16.43.140(c)(5);

(2) may not engage in fishing under the second permit and will not be issued a permit card for the second permit; and

(3) may not emergency transfer the second permit, **except under 20 AAC 05.1946(3)(B).**

(Eff. 12/21/2002, Register 164; am 11/20/2009, Register 192; am \_\_\_\_/\_\_\_\_/\_\_\_\_, Register \_\_\_\_)

20 AAC 05.1740(b) is amended to read:

. (b) The commission will grant an emergency transfer of an entry permit if the proposed transferee is not a permit holder in the fishery and is presently able to participate

actively in the fishery, and if it is established that illness, disability, death, required military or government service, or other unavoidable hardship of a temporary, unexpected, and unforeseen nature prevents the transferor from participating in the fishery. If the entry permit is not transferable under AS 16.43.170(e), the emergency transfer will be granted only to allow the continued operation of the transferor's vessel or setnet site and fishing gear or, in the dive fisheries, the transferor's dive fishery operation. Temporary emergency transfer of an interim-use permit issued under AS 16.43.210(b), 16.43.225, or 16.43.227 or of a permit held by an estate will be granted by the commission to alleviate hardship.

Temporary emergency transfer of an interim-use permit in an unlimited fishery issued under AS 16.43.210(a), will be granted by the commission if reasonably necessary in order for the fishing operation to continue until another permit may be obtained. **The**

**commission may grant a temporary emergency transfer of an entry permit to a proposed permanent transferee to alleviate hardship if the intent to permanently transfer the entry permit cannot presently be fulfilled in spite of substantial and good faith efforts to do so.**

(Eff. 12/18/74, Register 52; am 12/27/79, Register 72; am 5/15/81, Register 77; am 1/29/82, Register 81; am 10/30/82, Register 84; am 6/5/83, Register 86; am 2/29/84, Register 89; am 5/20/90, Register 114; am 1/2/92, Register 121; am 7/3/94, Register 130; am 12/29/2000, Register 156, am 11/20/2009, Register 192; am 12/31/2010, Register 196 am 12/25/2013, Register 208; am \_\_\_\_/\_\_\_\_/\_\_\_\_, Register \_\_\_\_)

**Authority:** AS 16.43.100                      AS 16.43.180                      AS 16.43.227  
                 AS 16.43.110                      AS 16.43.225

20 AAC 05.1910(h) is amended to read:

(h) The fee to process permanent transfers and emergency transfers of interim-use and entry permits is \$50. Instead of the \$50 processing fee, the transferor or transferee may



Register \_\_\_\_, \_\_\_\_\_ 2016 MISCELLANEOUS BOARDS

pay a fee of \$25 if both the transferor and transferee's total family incomes, as defined for the food stamp program in 7 C.F.R. 273.9 – 273.11, as revised as of January 1, **2016** [2015] and adopted by reference, fall within the poverty guidelines published by the United States Department of Health and Human Services, in the Federal Register on January 25, **2016** [2015] and adopted by reference, and neither the transferor's or transferee's assets and resources exceed those established for the food stamp program in 7 C.F.R. 273.8, as revised as of January 1, **2016** [2015] and adopted by reference.

(Eff. 12/18/74, Register 52; am 11/26/87, Register 104; am 7/16/94, Register 131; am 5/4/95, Register 134; am 10/7/95, Register 136; am 12/29/2000, Register 156; am 10/31/2001, Register 160; am 5/6/2002, Register 162; am 12/21/2002, Register 164; am 12/6/2003, Register 168; am 12/1/2004, Register 172; am 11/6/2005, Register 176; am 10/28/2006, Register 180; am 11/10/2007, Register 184; am 11/23/2008, Register 188; am 11/20/2009, Register 192; am 12/31/2010, Register 196; am 12/25/2011, Register 200; am 12/27/2012, Register 204; am 12/25/2013, Register 208; am 11/13/2014, Register 212; am 11/4/2015, Register 216; am \_\_\_\_/\_\_\_\_/\_\_\_\_, Register \_\_\_\_)

<b>Authority:</b>	AS 16.05.520	AS 16.43.110
	AS 16.43.100	AS 16.43.160