

# Limited entry permits sales to continue pending appeal

The Associated Press

Juneau - The chairman of Alaska's Commercial Fisheries Entry Commission says the state will continue to allow limited entry permit holders to sell or bequeath their permits pending an appeal of a recent court ruling against such transfers.

Anchorage Superior Court Judge Victor Carlson ruled last week that the state's limited entry law is flawed because it allows permit holders to sell or bequeath their permits, some of which are valued at more than \$100,000.

But Robert Simon, chairman of the Commercial Fisheries Entry Commission, said Thursday the state will continue business as usual, pending a ruling

by the Alaska Supreme Court. Simon said he is confident the law will be upheld on appeal.

"In order for any type of program to withstand constitutional challenges, there has to be a means for people to be able to enter the fishery" through permit transfers, he said.

Two years ago, in a related case, the Supreme Court upheld the limited entry law. However, some justices voiced concern then about the issue of transfer and inheritance of permits.

The head of the largest fishermen's organization in the state said the "economies of coastal Alaska would be severely disrupted and chaos cre-

ated in the all-important salmon fisheries if this decision is implemented."

Roger Painter, executive director of the United Fishermen of Alaska, which represents 1,100 individual fishermen and 17 organizations, said the "logic on which Carlson's decision was based is unfathomable"

to the UFA.

"By taking away the ability to buy and sell entry permits, the court system is taking fishing out of the realm of the business world and putting it into a game of chance."

"The elimination of free transferability of permits would destroy one of the pri-

mary goals of the legislature in the creation of limited entry to make commercial fishing a viable way to make a living."

In his decision, Carlson said the current system results in unjust discrimination because the availability of permits is based solely on the ability to pay.