

Commercial Fisheries Entry Commission Request for Permanent Transfer of Entry Permit for the Purpose of Fleet Consolidation Under AS 16.43.140(c)(5)

8800 Glacier Hwy. #109
P.O. Box 110302, Juneau, Alaska 99811-0302
Phone: (907)789-6150/Fax: (907)789-6170
www.cfec.state.ak.us

General Information:

Only use this form if the transferee already holds the same type of salmon permit: area and gear, (except Bristol Bay set gillnet and Cook Inlet set gillnet).

In order to receive an entry permit the transferee must be physically capable of actively participating in the fishery and have reasonable access to the necessary gear. The Entry Commission does not get involved with the financial transaction between buyer and seller, but for the protection of both parties recommends that an escrow account be established with a bank to handle disbursement of funds. Please note that permanent transfers are not official or final until all required documentation has been received and approved by the Entry Commission, even if money has already been paid and documents signed.

Transferable limited entry permits survive the death of the permit holder. The permit may be transferred directly to the surviving spouse by right of survivorship unless the deceased holder expressed a contrary intent in a will which has been probated. If the permit is to be transferred to someone other than the surviving spouse, the authorized representative of the estate may make final disposition of the permit by providing a copy of letters of appointment or administration along with the transfer form.

Permits cannot be leased, pledged, mortgaged, attached, distrained, transferred with any retained right of repossession or foreclosure, or encumbered in any way, or on any condition requiring a subsequent transfer.

Information on financing is available from the Alaska Department of Commerce, Community and Economic Development, Division of Economic Development, phone 907-465-2510; or Alaska Commercial Fishing and Agriculture Bank, phone 907-276-2007. An entry permit cannot be permanently transferred while it is subject to a lien filed by the Division of Economic Development, the Alaska Commercial Fishing and Agriculture Bank (CFAB), or Child Support Services Division (CSSD). Permits may be subject to federal tax liens and child support liens. The parties to a permit transfer are advised to take appropriate measures to protect themselves from the risks associated with federal tax liens.

Instructions:

A Notice of Intent must be on file with the Entry Commission for at least sixty (60) days before a permanent transfer may be completed. There are no exceptions to the sixty (60) day waiting period.

A \$50.00 processing fee must be submitted for each transfer requested. The Request for Permanent Transfer of Entry Permit form must be completed by the permit holder and transferee. Both parties must have their signatures notarized, but they do not have to sign at the same time or place. A copy of the "transfer agreement" or "bill of sale" outlining all terms and conditions of this transfer must be submitted providing the Entry Commission with full disclosure.

The Request for Permanent Transfer form must be signed, notarized and submitted to the Entry Commission within 90 days. If the permit has been renewed for the current year the permit card must be submitted with the transfer documents. If a permit is held by a deceased fisherman's estate, **only** the legally authorized representative of the estate can complete the transfer documents. A copy of the Letters of Administration or Letters Testamentary verifying that person's legal authority must be submitted with the transfer request.

Payment Information:

You can submit a check or money order made payable to the State of Alaska or if paying with a credit card please complete the attached credit card authorization form. You can mail the form directly to our office or you may fax it to 907-789-6170.

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Please allow 2 weeks for processing this request.

- All sections must be completed by both the current permit holder and transferee
- The transfer survey must be complete
- Form must be signed, notarized and submitted within 90 days.
- \$50 processing fee must be submitted
- Current year permit card must be submitted (if issued)
- Copy of your bill of sale or transfer agreement must be submitted

CFEC Use Only

Effective Date: _____

PART I: TO BE COMPLETED BY THE CURRENT PERMIT HOLDER

I request permanent transfer of permit _____ which is held by _____
Permit Number Permit Holder's Name (please print)

Social Security Number Date of Birth Permanent Mailing Address

_____, and whose contact phone number is: _____
Check if unlisted _____

Are any charges pending against you for violations of commercial fishing statutes or regulations? YES NO

If yes, what court is hearing the case? _____

To the best of your knowledge, are there any outstanding liens on file against this permit? YES NO

If yes, indicate type of lien: IRS (Internal Revenue Service) CFAB (Comm'l Fishing & Agri. Bank)
 CSSD (Child Support Services Division) DCCED (State of Alaska, Division of Economic Development)

PART II: TO BE COMPLETED BY THE PROPOSED TRANSFEEE

Name (please print) Social Security Number Date of Birth ADF&G Number

Permanent Mailing Address: Street or P.O. Box City State Zip Code

Telephone Check if unlisted _____ [] U.S. Citizen [] Alaska Resident Driver's License No. _____

[] Alien (_____) [] Nonresident Reg. Number

I understand that state law allows the holding of a second permit in a given salmon fishery for the purpose of fleet consolidation. YES NO

I further understand that I may not engage in fishing under the second permit and that I will not be issued a permit card for the second permit. YES NO

I further understand that I may not emergency transfer the second permit. YES NO

PART III: AFFIDAVIT (Both parties must read and sign under oath before a Notary Public (or Postmaster in Alaska))

I swear, under penalty of perjury, that the information provided by me on both sides of this form and in all supporting documents is true and completely describes the terms and conditions of this transfer; that this transfer is not requested as part of, nor in anticipation of, any retained right of repossession or foreclosure, lease, pledge, mortgage, agreement requiring a subsequent transfer, or other encumbrance involving this permit, except as part of a transfer financed in accordance with current law; that I am not prohibited by law or court order from being a party to this transfer. I understand that making a false claim on this form or submitting false documentation in support of this transfer request is a crime under AS 11.56.210 which is punishable by up to one year in prison and/or \$5,000 .00 fine and may subject me to administrative fines, suspension of fishing privileges and revocation of any entry permits I may hold.

I further understand that entry permits may be subject to federal tax liens and that the Internal Revenue Service (IRS) does NOT notify CFEC of such liens. I understand that a federal tax lien against a prior holder of an entry permit may still attach to the permit. I understand that this is the only notice the CFEC will provide regarding IRS liens, and that I may contact my lawyer, accountant or business advisor for further information. I understand that I am responsible for protecting myself against the existence of a federal tax lien.

Permit Holder _____ Transferee _____
Signature Signature

Subscribed and sworn to before me this _____ day of _____, 20____ at _____, 20____, at _____

Notary Public (or Postmaster in Alaska) Notary Public (or Postmaster in Alaska)

Commission Expires _____ Commission Expires _____

REQUIRED PERMIT TRANSFER INFORMATION

The information requested on this survey is required for all transfers. All responses are considered confidential and not available for public inspection in any manner that would disclose personal information about you or circumstances of this permit transfer. The optional section (Part VI) is not part of the statement that must be sworn to and it will be protected by the Alaska Human Rights Law (AS 18.80.255). A copy of your bill of sale or sales contract, a full explanation of any terms or conditions relating to this transfer and the transfer fee must also be submitted.

PART IV: TO BE COMPLETED BY THE PROPOSED TRANSFEREE

HOW DID YOU LOCATE THIS PERMIT? (Circle your answer)

- | | | |
|--------------------------------|---------------------------------|--------------------------|
| 1. Relative or personal friend | 3. Commission's list of permits | 5. Fish processor |
| 2. Casual acquaintance | 4. Broker | 6. Advertisement |
| | | 7. Other (explain) _____ |

WHAT IS YOUR RELATIONSHIP TO THE PERMIT HOLDER (SELLER)? (Circle your answer)

- | | | |
|---------------------|-------------------------------|--------------------------|
| 1. None | 3. Personal friend | 5. Other relative |
| 2. Business partner | 4. Member of immediate family | 6. Other (explain) _____ |

HOW IS THE PERMIT BEING ACQUIRED? (Circle all that apply)

- | | | |
|--|----------|--------------------------|
| 1. Permit purchase only | 3. Gift | 5. Inheritance |
| 2. Combined purchase (with vessel, gear, site, etc.) | 4. Trade | 6. Other (explain) _____ |

WHAT IS THE AGREED UPON PURCHASE PRICE OR TRADE VALUE FOR EACH ITEM YOU WILL OBTAIN IN THIS TRANSFER?

- | | | |
|--------------------|------------------------|--|
| 1. Permit \$ _____ | 5. Other \$ _____ | |
| 2. Vessel \$ _____ | (explain) _____ | |
| 3. Gear \$ _____ | | |
| 4. Site \$ _____ | TOTAL PACKAGE \$ _____ | |

WHAT SOURCES OF FINANCING ARE BEING USED? (Circle all that apply)

1. Personal Resources (incl. cash) \$ _____

If any person or entity is providing any money to help you pay for the permit, please provide the information requested below:

- a) Name and Address: _____
- b) Amount of money they are providing \$ _____
- c) You must submit your agreement in writing along with this completed transfer form.

- | | |
|---|-----------------------------------|
| 2. AK DCCED (Division of Economic Development) \$ _____ | 6. Transferor (seller) \$ _____ |
| 3. Fish Processor \$ _____ | 7. Trade - list items and values |
| 4. AK Comm Fish & Agri Bank (CFAB) \$ _____ | a) _____ \$ _____ |
| 5. Bank or other lending institution \$ _____ | b) _____ \$ _____ |
| | c) _____ \$ _____ |
| | 8. Other (explain) _____ \$ _____ |

IF PERMIT IS BEING TRANSFERRED AS A GIFT, IS IT BEING TRANSFERRED WITH ANY TERMS OR CONDITIONS? YES NO
 IF YES, YOU MUST PROVIDE THE AGREEMENT IN WRITING

IS THERE AN AGREEMENT CONCERNING FUTURE TRANSFER(S) OF THE PERMIT? YES NO
 IF YES, YOU MUST PROVIDE THE AGREEMENT IN WRITING

IS THERE AN AGREEMENT FOR YOU TO PAY THE TRANSFEROR A PORTION OF YOUR EARNINGS FROM FISHING THE PERMIT? YES NO
 IF YES, YOU MUST PROVIDE THE AGREEMENT IN WRITING

PART V: TO BE COMPLETED BY THE CURRENT PERMIT HOLDER

ARE YOU (you and/or the transferee) USING THE SERVICES OF A BROKER TO TRANSFER THIS PERMIT? YES NO
 If YES, which firm or person is acting as broker? _____

WHAT IS THE NET PRICE YOU WILL RECEIVE FROM SALE OF THE PERMIT? (After paying broker's fees) \$ _____
 HOW MUCH ARE YOU/TRANSFEREE PAYING IN BROKER'S FEES FOR THE PERMIT SALE? \$ _____

HOW IS THE PURCHASE PRICE TO BE PAID TO YOU? 1. In full at time of transfer 2. In periodic payments over time

WHAT IS YOUR REASON FOR TRANSFERRING THE PERMIT? (Circle all that apply)

- | | | |
|-------------------|---------------------------------------|------------------------------------|
| 1. Retirement | 3. Entering a different fishery | 5. Fishing is no longer profitable |
| 2. Health problem | 4. To pursue a non-fishing occupation | 6. Other (explain) _____ |

PART VI: THIS SECTION IS OPTIONAL, YOU ARE NOT REQUIRED TO COMPLETE IT.

WHAT IS YOUR ETHNIC ORIGIN? (circle one)

- | | | | | | | |
|------------------------|------------------|--------------|----------|----------|-------------|----------------|
| PERMIT HOLDER (SELLER) | 1. Alaska Native | 2. Caucasian | 3. Black | 4. Asian | 5. Hispanic | 6. Other _____ |
| TRANSFEREE (BUYER) | 1. Alaska Native | 2. Caucasian | 3. Black | 4. Asian | 5. Hispanic | 6. Other _____ |

Under AS 16.05.815 and AS 16.05.480, social security numbers and other information provided on this form may be used for fisheries research, management and licensing purposes and may be disclosed to: the Alaska Department of Fish and Game, the National Marine Fisheries Service, staff of the Pacific States Marine Fisheries Commission who are employed by the Alaska Fisheries Information Network project, the North Pacific Fisheries Management Council, child support enforcement agencies for child support purposes and other agencies or individuals as required by law or court order. Name, address, and licenses held are public information that may be released.

Commercial Fisheries Entry Commission Credit Card Authorization

P.O. Box 110302
Juneau, Alaska 99811-0302
Phone: (907)789-6150/Fax: (907)789-6170
www.cfec.state.ak.us

I authorize the Commercial Fisheries Entry Commission to charge the card indicated on this authorization. This payment is for the items listed below, for the amount indicated below and is valid for a one time use. I certify that I am an authorized user of this credit card and that I will not dispute the payment with my credit card company as long as the transaction corresponds to the information indicated on this form.

Please complete the information below:

NOTE: IF THERE ARE ANY PROBLEMS WITH THIS AUTHORIZATION INCLUDING THE CREDIT CARD NUMBER YOU WILL BE REQUIRED TO SUBMIT A NEW AUTHORIZATION AS THE ENTRY COMMISSION DOES NOT RETAIN CREDIT CARD INFORMATION.

List the items below that you want to pay for:

Permit fees: \$ _____

List all permit number(s) you are paying for: _____

Vessel fees: \$ _____

List all vessel ADF&G numbers you are paying for: _____

Transfer fees: \$ _____

List the permit number(s) you are paying for: _____

NOTE: Transfer fees are for permit or vessel permit transfers only

If you want your licenses express mailed you must check both spaces below:

_____ Yes, please express mail my licenses, I agree to pay the service fee of \$15.00.

_____ Yes, I have checked the USPS website for the current rate of express mail postage and agree to pay the current rate.

Total fees to be charged on my credit card \$ _____

Card holder name: _____

Signature of card holder: X _____ Date: _____

Account type: ___ VISA ___ MASTERCARD ___ DISCOVER

Expiration Date: _____

Credit card #: _____ - _____ - _____ - _____