



Fish News

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Alaska Congressional Delegation Introduces Maritime Lien Reform Act

Last week, the Alaska Congressional delegation introduced the Maritime Lien Reform Act. The following is a press release from the delegation:

WASHINGTON, D.C. – The Alaska delegation introduced the Maritime Lien Reform Act of 2011 this week (March 18, 2011). The legislation would protect fishermen who hold Alaska commercial fishing permits. The legislation also would prohibit maritime liens from being imposed on permits and protect the right of fishermen to continue to earn a livelihood by engaging in commercial fishing. Similar legislation was introduced in 2006 and 2008 but neither bill became law.

“The legislation is imperative to protect all fishermen’s ability to continue to make a living and provide income for their families and to meet their debts,” said Sen. Murkowski. “It will keep fishermen on the water employed with the one asset in which they can keep earning a living and address their creditors.”

“Commercial fishing is the backbone of the economy in Alaska’s coastal communities and an individual’s fishing permit needs to be protected,” Sen. Begich said. “This bill will prevent fishermen from having a lien slapped on their ability to fish, and allow them to work through problems they may have. It will help keep permits in local communities and keep fishermen working.”

“Commercial fishing is one of the largest industries in our state and a valuable commodity not only to Alaska but to the country,” said Rep. Young. “This bill protects fishermen’s ability to make a profit and pay off their debts without taking away their prime source of income. Debts cannot be paid off if there are no earnings, so this legislation is a win-win for fishermen, creditors, and Alaska.”

Alaska law already prohibits liens on Alaska limited entry permits, but a court decision threw that into doubt by determining that a fishing license was subject to a maritime lien under Federal Admiralty Law. The decision has become the rationale for attempts to take Alaskan fishing permits in federal bankruptcy court and the legislation is the best way to protect these permits and fishermen.

The legislation would not only benefit Alaskan residents. There are over 13,000 individuals who hold Alaska Commercial Entry Permits. While approximately 75% of the permits are held by Alaskan residents, permit holders live in all 50 states.

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