

General Framework for LAP Programs: (continued)

(d) AUCTIONS AND OTHER PROGRAMS

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To collect ROYALTIES for initial/subsequent allocations in a LAPP - if in a (c)(2)(A) Fishing Community program (+deposited in the LAS AdminFund - [then] available subject to annual appropriations.)

(e) COST RECOVERY (Councils shall...)

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Develop methodology and means to assess, data collection, analysis. Shall Provide a program of FEES paid by LAP holders to cover many costs.

(f) LIMITED DURATION

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A Council may establish a shall expire time for initial/subsequent allocations; Or various periods for such expiration within a fishery to achieve goals.

(g) LAP ASSISTED PURCHASE PROGRAM

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Reserve up to 25% of Sec.304(d)(2) fees collected for (A) small vessels, and (B) entry level first-time purchase of LAPs. + est. Eligibility criteria.

(h) EFFECT ON CERTAIN EXISTING SHARES & PROGRAMS

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Grandfather clauses: "nothing in this Act, or the Amendments made by the AFM&MLEA, shall be construed to require a reallocation of individual quota shares, fish processor quota shares, cooperative programs, or other quota programs, including sector allocation, under development or submitted by a Council or approved by the Secretary or by Congressional action before the date of enactment of the .". "

Problem!

adds

§7.(b) FEES - Section 304(d)(2) (16 U.S.C. 1854 (d)(2)) is amended by (1,2) redesignating subparagraphs, (3) striking "(2)(A)" inserting the following:

"(2)(A) Notwithstanding paragraph 1, the Secretary shall collect a fee from a person that holds or transfers and individual quota issued under a LAS established under §303(b)(6) fees... and §9701(b) of Title 31 U.S.C. Pages 50-51

"(B) ... (i) initial allocation = 1% of the ex-vessel value of fish authorized in one year under an individual quota, ... collected from the person to whom ... first issued...

(ii) annual fee not to exceed [NTE] 3% of ex-vessel value of fish authorized each year ... from the holder of the IQ share...

(iii) transfer fee = 1% of ex-vessel value of fish authorized each year, collected from a person who permanently transfers the IQS to another person.

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"(C) ... commensurate with cost of managing the fishery... incl. reasonable salaries, data analysis, ... and enforcement. [continued]

Problems!

