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Bullard  
4/5/12

**CS FOR HOUSE BILL NO. 365(FIN)**

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-SEVENTH LEGISLATURE - SECOND SESSION

BY THE HOUSE FINANCE COMMITTEE

Offered:  
Referred:

Sponsor(s): HOUSE RESOURCES COMMITTEE

**A BILL**

**FOR AN ACT ENTITLED**

**"An Act relating to the rapid response to, and control of, aquatic invasive species."**

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

**\* Section 1.** AS 16.05 is amended by adding a new section to read:

**Sec. 16.05.093. Rapid response to, and control of, aquatic invasive species.**

(a) The department shall, in cooperation with the Department of Environmental Conservation, the Department of Natural Resources, and other state, federal, public, and private entities, establish a rapid response and management plan for addressing occurrences of aquatic invasive species in limited or isolated geographic areas. The plan must

(1) identify and assess potential responses to the occurrence of an aquatic invasive species that can be carried out quickly; and

(2) provide procedures, consistent with applicable state and federal law, for the expedited eradication or control of an aquatic invasive species in a limited or isolated area.

(b) Consistent with applicable state and federal law, under the rapid response

1 and management plan established under (a) of this section, the department may use  
2 chemical, biological, mechanical, or physical methods, singly or in combination, to  
3 control the occurrence of or eradicate an aquatic invasive species in a limited or  
4 isolated geographic area.

5 (c) In responding under (b) of this section to the occurrence of an aquatic  
6 invasive species, the department may apply for suspension of, or emergency,  
7 quarantine, public health, crisis, or other exemptions to, applicable environmental laws  
8 and regulations.

9 (d) Rapid response to, and management of, an aquatic invasive species in a  
10 limited or isolated geographic area under (b) of this section shall be given priority over  
11 activities regulated by the department in that limited or isolated geographic area. The  
12 commissioner or an authorized designee may summarily open or close a season or area  
13 under AS 16.05.060 to aid in responding to the occurrence of an aquatic invasive  
14 species under this section.

15 (e) Each state department, agency, and institution shall cooperate with the  
16 department in responding under (b) of this section to the occurrence of an aquatic  
17 invasive species in a limited or isolated geographic area.

18 (f) In responding under (b) of this section to the occurrence of freshwater  
19 aquatic invasive species, the department shall respond in a manner determined to  
20 cause the least harm to noninvasive resident fish populations in that limited or isolated  
21 geographic area that are used for recreational, personal use, commercial, or  
22 subsistence purposes.

23 (g) In this section, "aquatic invasive species" means an organism introduced to  
24 a marine or freshwater ecosystem to which it is not native and whose introduction  
25 causes, or is likely to cause, economic or environmental harm or harm to human  
26 health.