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Bullard
3/16/15

CS FOR HOUSE BILL NO. 137()

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-NINTH LEGISLATURE - FIRST SESSION

BY

**Offered:
Referred:**

Sponsor(s): REPRESENTATIVE TALERICO

A BILL

FOR AN ACT ENTITLED

1 **"An Act raising certain fees related to sport fishing, hunting, and trapping; raising the**
2 **age of eligibility for a sport fishing, hunting, or trapping license exemption for state**
3 **residents; raising the age at which a state resident is required to obtain a license for**
4 **sport fishing, hunting, or trapping; and providing for an effective date."**

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

6 *** Section 1. AS 16.05.251(a) is amended to read:**

7 (a) The Board of Fisheries may adopt regulations it considers advisable in
8 accordance with AS 44.62 (Administrative Procedure Act) for

9 (1) setting apart fish reserve areas, refuges, and sanctuaries in the
10 waters of the state over which it has jurisdiction, subject to the approval of the
11 legislature;

12 (2) establishing open and closed seasons and areas for the taking of
13 fish; if consistent with resource conservation and development goals, the board may
14 adopt regulations establishing restricted seasons and areas necessary for

1 (A) persons 62 [60] years of age and older to participate in
2 sport, personal use, or subsistence fishing; or

3 (B) residents under 18 years of age and nonresidents
4 [PERSONS] under 16 years of age to participate in sport fishing;

5 (3) setting quotas, bag limits, harvest levels, and sex and size
6 limitations on the taking of fish;

7 (4) establishing the means and methods employed in the pursuit,
8 capture, and transport of fish;

9 (5) establishing marking and identification requirements for means
10 used in pursuit, capture, and transport of fish;

11 (6) classifying as commercial fish, sport fish, guided sport fish,
12 personal use fish, subsistence fish, or predators or other categories essential for
13 regulatory purposes;

14 (7) watershed and habitat improvement, and management,
15 conservation, protection, use, disposal, propagation, and stocking of fish;

16 (8) investigating and determining the extent and effect of disease,
17 predation, and competition among fish in the state, exercising control measures
18 considered necessary to the resources of the state;

19 (9) prohibiting and regulating the live capture, possession, transport, or
20 release of native or exotic fish or their eggs;

21 (10) establishing seasons, areas, quotas, and methods of harvest for
22 aquatic plants;

23 (11) establishing the times and dates during which the issuance of
24 fishing licenses, permits, and registrations and the transfer of permits and registrations
25 between registration areas is allowed; however, this paragraph does not apply to
26 permits issued or transferred under AS 16.43;

27 (12) regulating commercial, sport, guided sport, subsistence, and
28 personal use fishing as needed for the conservation, development, and utilization of
29 fisheries;

30 (13) requiring, in a fishery, observers on board fishing vessels, as
31 defined in AS 16.05.475(d), that are registered under the laws of the state, as defined

in AS 16.05.475(c), after making a written determination that an onboard [ON-BOARD] observer program

(A) is the only practical data-gathering or enforcement mechanism for that fishery;

(B) will not unduly disrupt the fishery;

(C) can be conducted at a reasonable cost; and

(D) can be coordinated with observer programs of other agencies, including the National Marine Fisheries Service, North Pacific Fishery Management Council, and the International Pacific Halibut Commission;

(14) establishing nonexclusive, exclusive, and superexclusive registration and use areas for regulating commercial fishing;

(15) regulating resident or nonresident sport fishermen as needed for the conservation, development, and utilization of fishery resources;

(16) requiring unlicensed fishing vessels present in or transiting the waters of the state to report to the department the quantity, species, and origin of fish on board; in this paragraph, "unlicensed fishing vessel" means a fishing vessel that is not licensed under AS 16.05.490 - 16.05.530;

(17) promoting fishing and preserving the heritage of fishing in the state.

* **Sec. 2.** AS 16.05.340(a)(1) is amended to read:

(1) Resident sport fishing license \$20 [\$15]

However, the fee is 50 [25] cents for a resident who is blind.

* **Sec. 3.** AS 16.05.340(a)(2) is amended to read:

(2) Resident hunting license 30 [25]

* **Sec. 4.** AS 16.05.340(a)(3) is amended to read:

(3) Resident hunting and trapping license 45 [39]

* **Sec. 5.** AS 16.05.340(a)(4) is amended to read:

(4) Resident trapping license 20 [15]

* **Sec. 6.** AS 16.05.340(a)(5) is amended to read:

(5) Resident hunting and sport fishing license 45 [39]

* Sec. 7. AS 16.05.340(a)(6) is amended to read:

(6) Resident hunting, trapping, and sport fishing license 60 [53];

(A) however, the fee is \$5 for an applicant who

[(i) IS RECEIVING OR HAS RECEIVED
ASSISTANCE DURING THE PRECEDING SIX MONTHS UNDER
ANY STATE OR FEDERAL WELFARE PROGRAM TO AID THE
INDIGENT; OR

(ii)] has an annual family gross income of less than
\$29,820 [\$8,200] for the year preceding application;

(B) a person paying \$5 for a resident hunting, trapping, and
sport fishing license must provide proof of eligibility under this paragraph
when requested by the department.

* Sec. 8. AS 16.05.340(a)(7) is amended to read:

(7) Nonresident sport fishing license - valid for the period inscribed on
the license

(A) For 14-day license 60 [50]

(B) For seven-day license 40 [30]

(C) For three-day license 30 [20]

(D) For one-day license 15 [10]

* Sec. 9. AS 16.05.340(a)(8) is amended to read:

(8) Nonresident annual sport fishing license 130 [100]

* Sec. 10. AS 16.05.340(a)(9) is amended to read:

(9) Nonresident hunting license 125 [85]

* Sec. 11. AS 16.05.340(a)(11) is amended to read:

(11) Nonresident hunting and trapping license 325 [250]

* Sec. 12. AS 16.05.340(a)(15) is amended to read:

(15) Nonresident big game tags

A nonresident may not take a big game animal without previously purchasing a
numbered, nontransferable, appropriate tag, issued under this paragraph. The tag must
be affixed to the animal immediately upon capture and must remain affixed until the
animal is prepared for storage, consumed, or exported. A tag issued but not used for an

animal may be used to satisfy the tagging requirement for an animal of any other species for which the tag fee is of equal or less value.

(A) Bear, black, each 335 [225]

(B) Bear, brown or grizzly, each 750 [500]

(C) Bison, each 675 [450]

(D) Caribou, each 485 [325]

(E) Deer, each 225 [150]

(F) Elk, each 450 [300]

(G) Goat, each 450 [300]

(H) Moose, each 600 [400]

(I) Sheep, each 635 [425]

(J) Wolf, each 45 [30]

A nonresident is not required to have a nonresident wolf tag to take a wolf in a game management unit if the Board of Game has adopted an intensive management program under AS 16.05.255(e) [AS 16.05.255] for all or a portion of the game management unit.

(K) Wolverine, each 260 [175]

(L) Musk oxen, each 1,650 [1,100]

* **Sec. 13.** AS 16.05.340(a)(17) is amended to read:

(17) Waterfowl conservation tag 10 [5]

(A) A person may not engage in waterfowl hunting without having the current year's waterfowl tag in the person's actual possession, unless that person

(i) qualifies for a \$5 license fee under (6) of this subsection;

(ii) is a resident under the age of 18 [16];

(iii) is 62 [60] years of age or older and is a resident;

(iv) is a disabled veteran eligible for a free license under

AS 16.05.341.

(B) The Board of Game shall by regulation exempt the requirement of a waterfowl conservation tag for waterfowl hunting in areas of

the state not likely to benefit from programs described in AS 16.05.130(b)(2) - (4).

* Sec. 14. AS 16.05.340(a)(19) is amended to read:

(19) Nonresident small game hunting license 30 [20]

* Sec. 15. AS 16.05.340(a)(20) is amended to read:

(20) Nonresident alien hunting license 450 [300]

A nonresident alien may not take a big game animal without previously purchasing a numbered, nontransferable, appropriate tag, issued under (21) of this subsection. The tag must be affixed to the animal immediately upon capture and must remain affixed until the animal is prepared for storage, consumed, or exported. A tag issued but not used for an animal may be used to satisfy the tagging requirement for an animal of any other species for which the tag fee is of equal or less value.

* Sec. 16. AS 16.05.340(a)(21) is amended to read:

(21) Nonresident alien big game tags

(A) Bear, black, each 400 [300]

(B) Bear, brown or grizzly, each 900 [650]

(C) Bison, each 900 [650]

(D) Caribou, each 600 [425]

(E) Deer, each 250 [200]

(F) Elk, each 500 [400]

(G) Goat, each 500 [400]

(H) Moose, each 600 [500]

(I) Musk oxen, each 2,000 [1,500]

(J) Sheep, each 650 [550]

(K) Wolf, each 75 [50]

A nonresident alien is not required to have a nonresident alien wolf tag to take a wolf in a game management unit if the Board of Game has adopted an intensive management program under AS 16.05.255(e) [AS 16.05.255] for all or a portion of the game management unit.

(L) Wolverine, each 350 [250]

* Sec. 17. AS 16.05.340(a)(23) is amended to read:

(23) Resident anadromous king salmon tag 15 [10]

A resident may not engage in sport fishing for anadromous king salmon without having the current year's anadromous king salmon tag in the resident's actual possession, unless that person

(A) qualifies for a 50 [25] cent license fee under (1) of this subsection;

(B) is under the age of 18 [16];

(C) is 62 [60] years of age or older and has been a resident of the state for at least one year;

(D) is a disabled veteran eligible for a free license under AS 16.05.341; or

(E) qualifies for a \$5 license fee under (6) of this subsection.

* **Sec. 18.** AS 16.05.340(a)(24) is amended to read:

(24) Nonresident anadromous king salmon tag - valid for the period inscribed on the tag

(A) for a one-day tag 15 [10]

(B) for a three-day tag 30 [20]

(C) for a seven-day tag 45 [30]

(D) for a 14-day tag 75 [50]

(E) for an annual tag 150 [100]

A nonresident may not engage in sport fishing for anadromous king salmon without having a valid anadromous king salmon tag in the person's actual possession, unless that person is under the age of 16. Members of the military service on active duty who are permanently stationed in the state, and their dependents, who do not qualify as residents under AS 16.05.415, may obtain an annual nonresident military anadromous king salmon tag for \$30 [\$20].

* **Sec. 19.** AS 16.05.400(a) is amended to read:

(a) A license is not required of a resident under the age of 18 years or a nonresident [PERSON] under the age of 16 years for sport fishing nor is a license required of a resident under the age of 18 years [16] for hunting or trapping.

* **Sec. 20.** AS 16.05.400(b) is amended to read:

1 (b) A sport fishing, hunting, or trapping license is not required of a resident
2 who is 62 [60] years of age or more. The commissioner shall issue a permanent
3 identification card without charge to persons who qualify by age and residence and
4 who complete the forms required by the commissioner for implementation of this
5 subsection. A person who is issued a permanent identification card under this
6 subsection shall have it in possession while sport fishing, hunting, or trapping.

7 * **Sec. 21.** The uncodified law of the State of Alaska is amended by adding a new section to
8 read:

9 APPLICABILITY. Notwithstanding the change made to AS 16.05.340(a)(17)(A)(iii)
10 by sec. 13 of this Act, the change made to AS 16.05.340(a)(23)(C) by sec. 17 of this Act, and
11 the change made to AS 16.05.400(b) by sec. 20 of this Act, a resident who was eligible for a
12 sport fishing, hunting, or trapping license exemption under AS 16.05.400(b), as that
13 subsection read before the effective date of this Act, shall continue to be eligible for the
14 exemption under AS 16.05.400(b), as that subsection read before the effective date of this
15 Act.

16 * **Sec. 22.** This Act takes effect January 1, 2016.