

CS FOR SENATE BILL NO. 41(JUD)

IN THE LEGISLATURE OF THE STATE OF ALASKA

NINETEENTH LEGISLATURE - FIRST SESSION

BY THE SENATE JUDICIARY COMMITTEE

Offered: 2/14/95

Referred: Finance

Sponsor(s): SENATOR TAYLOR

REPRESENTATIVES Mackie, Williams

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to reports by fishing vessels that are not licensed under the**
2 **laws of the state."**

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

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

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

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

10 (2) establishing open and closed seasons and areas for the taking of
11 fish; if consistent with resource conservation and development goals, the board may
12 adopt regulations establishing restricted seasons and areas necessary for persons 60
13 years of age and older to participate in sport, personal use, or subsistence fishing;

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

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

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

7 (6) classifying as commercial fish, sport fish, guided sport fish,
8 personal use fish, subsistence fish, or predators or other categories essential for
9 regulatory purposes;

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

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

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

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

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

23 (12) regulating commercial, sport, guided sport, subsistence, and
24 personal use fishing as needed for the conservation, development, and utilization of
25 fisheries;

26 (13) requiring, in a fishery, observers on board fishing vessels, as
27 defined in AS 16.05.475(d), that are registered under the laws of the state, as defined
28 in AS 16.05.475(c), after making a written determination that an on-board observer
29 program

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

1 (B) will not unduly disrupt the fishery;
2 (C) can be conducted at a reasonable cost; and
3 (D) can be coordinated with observer programs of other
4 agencies, including the National Marine Fisheries Service, North Pacific
5 Fishery Management Council, and the International Pacific Halibut
6 Commission;

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

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

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

15 * **Sec. 2.** Before May 1996, the Board of Fisheries shall consider for adoption, and adopt
16 as the board considers appropriate, regulations under AS 16.05.251(a)(16) to require an
17 unlicensed fishing vessel present in or transiting the waters of the state in Southeast Alaska
18 to report in a timely manner to the Department of Fish and Game the quantity, species, and
19 origin of fish on board the vessel.