



# **LAWS OF ALASKA**

**2005**

**Source**

HCS CSSB 93(FIN)

**Chapter No.**

\_\_\_\_\_

**AN ACT**

Relating to commercial fishing permit and vessel license fees; and providing for an effective date.

\_\_\_\_\_

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

THE ACT FOLLOWS ON PAGE 1



## AN ACT

1 Relating to commercial fishing permit and vessel license fees; and providing for an effective  
2 date.

3  
4 \* **Section 1.** AS 16.05.520(a) is amended to read:

5 (a) The vessel license includes a permanent number plate. The number plate  
6 shall be accompanied by a tab affixed to **the number plate** [IT] designating the year  
7 to be fished. A number plate is not transferable, and **the number plate** [IT] shall be  
8 considered a permanent fixture upon the vessel upon which **the number plate** [IT] is  
9 originally placed. **The number plate** [IT] shall be securely fastened well forward on  
10 the port side in plain sight. On a vessel with a superstructure, the **number** plate shall  
11 be fastened on the port side of the superstructure. A number plate remains the  
12 property of the state. **The Alaska Commercial Fisheries Entry Commission may**  
13 **establish by regulation a reasonable fee for the initial issuance of a permanent**  
14 **number plate.** If a permanent number plate is accidentally defaced, mutilated,

1 destroyed, or lost, the person owning or operating the vessel shall immediately apply  
2 for and may obtain a duplicate upon furnishing the Alaska Commercial Fisheries  
3 Entry Commission with the pertinent facts and a payment of **a reasonable fee**  
4 **established by the commission by regulation that is not less than** \$2.

5 \* **Sec. 2.** AS 16.05.530 is repealed and reenacted to read:

6 **Sec. 16.05.530. Renewal of vessel license.** (a) Upon payment of the vessel  
7 license fee and filing of the name and address of the owner of the vessel or the owner's  
8 authorized agent, the name and number of the vessel, a description of the vessel, the  
9 vessel license number, if any, the area to be fished, and other reasonable information  
10 required by the Alaska Commercial Fisheries Entry Commission, the commission  
11 shall issue a permanent number plate and a vessel license. If the vessel has a  
12 permanent number plate, the commission shall issue a vessel license and tab  
13 designating the year the license is valid. The tab shall be placed in the space provided  
14 on the permanent number plate.

15 (b) For calendar year 2006 and following years, the annual fee for a vessel  
16 license issued or renewed under this section is set according to the overall length, as  
17 defined by the United States Coast Guard, of the vessel under the following schedule:

18	(1) 0 - 25 feet .....	\$24
19	(2) over 25 feet - 50 feet .....	60
20	(3) over 50 feet - 75 feet .....	120
21	(4) over 75 feet - 100 feet .....	225
22	(5) over 100 feet - 125 feet .....	300
23	(6) over 125 feet - 150 feet .....	375
24	(7) over 150 feet - 175 feet .....	450
25	(8) over 175 feet - 200 feet .....	525
26	(9) over 200 feet - 225 feet .....	600
27	(10) over 225 feet - 250 feet .....	675
28	(11) over 250 feet - 275 feet .....	750
29	(12) over 275 feet - 300 feet .....	825
30	(13) over 300 feet .....	900.

31 \* **Sec. 3.** AS 16.43.160 is repealed and reenacted to read:

1           **Sec. 16.43.160. Fees.** (a) Except as specifically provided in this section, the  
2 commission shall establish annual fees for the issuance and annual renewal of entry  
3 permits or interim-use permits.

4           (b) The commission may charge interest at a rate not to exceed the legal rate  
5 of interest established in AS 45.45.010 on fees more than 60 days overdue.

6           (c) For an entry permit or an interim-use permit issued or renewed for  
7 calendar year 2006 and following years, the annual base fee for issuance or renewal of  
8 an entry permit or an interim-use permit may not be less than \$30 or more than  
9 \$3,000. The annual base fee must reasonably reflect the different rates of economic  
10 return for different fisheries. In addition to the annual base fee established by the  
11 commission under this subsection, a nonresident shall pay an annual nonresident  
12 surcharge for the issuance or renewal of one or more entry permits or interim-use  
13 permits. The commission shall establish the annual nonresident surcharge by  
14 regulation at an amount that is as close as is practicable to the maximum allowed by  
15 law.

16           (d) For an entry permit or an interim-use permit issued or renewed for  
17 calendar year 2006 and following years, the holder of a permit whose household  
18 income, assets, and financial resources fall within the eligibility standards for the food  
19 stamp program under 7 U.S.C. 2011 - 2025, as amended, is subject to an annual base  
20 fee for the issuance or renewal of an entry permit or an interim-use permit that is equal  
21 to 50 percent of the annual base fee that the permit holder would otherwise pay under  
22 (c) of this section. In addition to the reduced annual base fee under this subsection, a  
23 nonresident who qualifies for a reduced fee under this subsection shall pay the annual  
24 nonresident surcharge established under (c) of this section.

25       \* **Sec. 4.** The uncoded law of the State of Alaska is amended by adding a new section to  
26 read:

27       **VESSEL LICENSE FEES FOR CALENDAR YEAR 2005.** (a) Notwithstanding the  
28 repeal and reenactment of AS 16.05.530 by sec. 2 of this Act, the annual license fee for a  
29 vessel license issued or renewed for calendar year 2005 is set according to the overall length,  
30 as defined by the United States Coast Guard, of the vessel under the following schedule:

31           (1) 0 - 25 feet ..... \$20

1	(2) over 25 feet - 50 feet .....	50
2	(3) over 50 feet - 75 feet .....	100
3	(4) over 75 feet - 150 feet .....	250
4	(5) over 150 feet - 250 feet .....	500
5	(6) over 250 feet .....	750.

6 (b) Notwithstanding the repeal and reenactment of AS 16.05.530 by sec. 2 of this Act,  
7 a vessel license issued or renewed for calendar year 2005 under the former provisions of  
8 AS 16.05.530 before the effective date of sec. 2 of this Act is valid for the period for which  
9 the license was issued or renewed.

10 \* **Sec. 5.** The uncodified law of the State of Alaska is amended by adding a new section to  
11 read:

12 FEES FOR ENTRY PERMITS AND INTERIM-USE PERMITS FOR CALENDAR  
13 YEAR 2005. (a) Notwithstanding the repeal and reenactment of AS 16.43.160 by sec. 3 of  
14 this Act, for an entry permit or an interim-use permit issued or renewed for calendar year  
15 2005, on or after the effective date of sec. 3 of this Act, the annual base fee may not be less  
16 than \$10 or more than \$300. The annual base fee must reasonably reflect the different rates of  
17 economic return for different fisheries. In addition to the annual base fee established by the  
18 Alaska Commercial Fisheries Entry Commission under this subsection, a nonresident shall  
19 pay an annual nonresident surcharge for the issuance or renewal of one or more entry permits  
20 or interim-use permits. The annual nonresident surcharge shall be established by the  
21 commission by regulation at an amount that is as close as is practicable to the maximum  
22 allowed by law.

23 (b) Notwithstanding the repeal and reenactment of AS 16.43.160 by sec. 3 of this Act,  
24 for an entry permit or an interim-use permit issued or renewed for calendar year 2005, the  
25 holder of a permit whose household income, assets, and financial resources fall within the  
26 eligibility standards for the food stamp program under 7 U.S.C. 2011 - 2025, as amended, is  
27 subject to a maximum annual base fee that is equal to 50 percent of the annual base fee that  
28 the permit holder would otherwise pay under (a) of this section. In addition to the annual base  
29 fee under this subsection, a nonresident who qualifies for a reduced fee under this subsection  
30 shall pay an annual nonresident surcharge of \$57 for the issuance or renewal of one or more  
31 entry permits or interim-use permits.

1           (c) Notwithstanding the repeal and reenactment of AS 16.43.160 by sec. 3 of this Act,  
2 an entry permit or an interim-use permit issued or renewed for calendar year 2005 under the  
3 former provisions of AS 16.43.160 before the effective date of sec. 3 of this Act is valid for  
4 the period for which the entry permit or the interim-use permit was issued or renewed.

5       \* **Sec. 6.** This Act takes effect immediately under AS 01.10.070(c).