

HOUSE BILL NO. 264

IN THE LEGISLATURE OF THE STATE OF ALASKA

NINETEENTH LEGISLATURE - FIRST SESSION

BY REPRESENTATIVE MASEK

Introduced: 3/17/95

Referred: House Special Committee on Fisheries, Resources, Finance

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to the reduction of the harvest of a fishery resource by
2 nonsubsistence fisheries."

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

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

5 (e) Except as provided under (i) of this section, the [THE] Board of
6 Fisheries may allocate fishery resources among personal use, sport, guided sport, and
7 commercial fisheries. The board shall adopt criteria for the allocation of fishery
8 resources and shall use the criteria as appropriate to particular allocation decisions. The
9 criteria may include factors such as

10 (1) the history of each personal use, sport, guided sport, and
11 commercial fishery;

12 (2) the number of residents and nonresidents who have participated in
13 each fishery in the past and the number of residents and nonresidents who can
14 reasonably be expected to participate in the future;

1 (3) the importance of each fishery for providing residents the
2 opportunity to obtain fish for personal and family consumption;

3 (4) the availability of alternative fisheries resources;

4 (5) the importance of each fishery to the economy of the state;

5 (6) the importance of each fishery to the economy of the region and
6 local area in which the fishery is located;

7 (7) the importance of each fishery in providing recreational
8 opportunities for residents and nonresidents.

9 * **Sec. 2.** AS 16.05.251 is amended by adding a new subsection to read:

10 (i) If the Board of Fisheries reduces the harvest of a fishery resource by
11 nonsubsistence fisheries in order to provide for sustained yield of the fishery resource
12 or to satisfy the subsistence preference under AS 16.05.258, the board shall

13 (1) allocate the reduction in the harvest of the resource among each
14 personal use, sport, guided sport, and commercial fishery that takes the resource in the
15 same proportion that each fishery has traditionally taken of the nonsubsistence harvest
16 of the resource; and

17 (2) adopt a plan for in-season management of the fishery resource by
18 the department that is consistent, to the extent the board considers reasonably
19 practicable, with the allocation established by the board under this subsection.