

**HOUSE BILL NO. 275**

IN THE LEGISLATURE OF THE STATE OF ALASKA

NINETEENTH LEGISLATURE - FIRST SESSION

**BY REPRESENTATIVE MASEK**

**Introduced: 3/22/95**

**Referred: House Special Committee on Fisheries, Resources**

**A BILL**

**FOR AN ACT ENTITLED**

1 "An Act relating to fishery management plans adopted by the Board of  
2 Fisheries."

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;

14 (3) setting quotas, bag limits, harvest levels, and sex and size

1 limitations on the taking of fish;

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

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

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

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

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

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

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

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

22 (12) **managing and** regulating commercial, sport, guided sport,  
23 subsistence, and personal use fishing as needed for the conservation, development, and  
24 utilization of fisheries, **including the adoption of management plans setting out the**  
25 **goals of management and regulation of fishing and the management measures to**  
26 **achieve those goals; if the board adopts a management plan, the board shall**  
27 **regularly review the plan and shall revise the plan as necessary to address a**  
28 **significant change in competition among or within fisheries taking the fishery**  
29 **resource, in productivity of the fishery resource or its habitat, in social, economic,**  
30 **or environmental factors affecting the fishery, or in other factors the board**  
31 **considers relevant to the management and regulation of the fishery;**

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

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

7 (B) will not unduly disrupt the fishery;

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

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

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

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