

**SENATE BILL NO. 40**

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTIETH LEGISLATURE - FIRST SESSION

BY SENATORS HALFORD AND GREEN, Donley

Introduced: 1/13/97

Referred: Resources, Finance

**A BILL**

**FOR AN ACT ENTITLED**

1 "An Act relating to management of discrete salmon stocks, to salmon management  
2 assessments, and to the fishery business tax."

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

4 \* **Section 1. PURPOSE.** This Act requires the Board of Fisheries to adopt and implement  
5 discrete salmon stock management policies that are consistent with the sustained yield of wild  
6 salmon stocks. This Act also provides a means to offset the costs incurred by the state in  
7 adopting and implementing discrete salmon stock management policies by imposing a  
8 surcharge on sport fishing licenses, commercial fishing crewmember licenses, and limited  
9 entry permit renewals and by use of fishery business tax revenue.

10 \* **Sec. 2.** AS 16.05 is amended by adding a new section to article 5 to read:

11 **Sec. 16.05.735. Discrete salmon stock management.** (a) The Board of  
12 Fisheries shall adopt a policy for the management of discrete salmon stocks that is  
13 consistent with sustained yield of wild salmon stocks. The board

14 (1) by January 1, 2004, shall adopt regulations to implement the policy

1 for management of discrete salmon stocks for

2 (A) sockeye salmon, chum salmon, chinook salmon, and coho  
3 salmon taken in the Cook Inlet salmon fishery management area;

4 (B) sockeye salmon, chum salmon, chinook salmon, and coho  
5 salmon taken in the Kodiak salmon fishery management area;

6 (C) sockeye salmon and chum salmon taken in the Aleutian  
7 Islands and Alaska Peninsula salmon fishery management area; and

8 (D) sockeye salmon and chum salmon taken in the Kuskokwim  
9 salmon fishery management area; and

10 (2) may

11 (A) adopt regulations to implement the discrete salmon stock  
12 management policy for other species, stocks, rivers of origin, and salmon  
13 fishery management areas identified by the board; and

14 (B) establish schedules for collection of information and data  
15 necessary to implement the discrete salmon stock management policy.

16 (b) The Department of Fish and Game shall

17 (1) consult with the Board of Fisheries to determine what salmon stock  
18 information would be most useful to the board;

19 (2) determine the stock composition by river of origin for each existing  
20 mixed stock salmon fishery that

21 (A) occurs in a salmon fishery management area identified  
22 under (a) of this section; and

23 (B) takes a discrete salmon stock identified under (a) of this  
24 section;

25 (3) develop escapement objectives, based, at the minimum, on the  
26 availability of spawning and rearing habitat and average production, for each discrete  
27 salmon stock identified under (a) of this section where technically feasible;

28 (4) develop the ability to project escapements for each discrete salmon  
29 stock in order to provide the board with the information necessary to perform its duties  
30 under this section; the department shall annually provide projections of escapement for  
31 each discrete salmon stock to the board in a timely manner; and

1 (5) annually provide to the board in a timely manner the stock  
 2 composition data that are necessary to manage mixed stock fisheries before the fishing  
 3 season for those fisheries begins.

4 (c) In this section,

5 (1) "discrete salmon stock" means a population of a species of salmon  
 6 that spawns in one of the following rivers:

7 (A) Noatak River or Kobuk River;

8 (B) rivers of Norton Sound;

9 (C) Yukon River;

10 (D) Kuskokwim River;

11 (E) Togiak River;

12 (F) Igushik River, Wood River, or Nushagak River;

13 (G) Kvichak River;

14 (H) Naknek River;

15 (I) Egegik River;

16 (J) Ugashik River;

17 (K) Chignik River;

18 (L) Ayakulik River;

19 (M) Fraser River;

20 (N) Karluk River;

21 (O) Kasilof River;

22 (P) Kenai River;

23 (Q) Susitna River; and

24 (R) other rivers identified by the Board of Fisheries;

25 (2) "river of origin" means the river to which a discrete salmon stock  
 26 migrates for spawning.

27 \* **Sec. 3.** AS 16.05.340 is amended by adding a new subsection to read:

28 (g) In addition to the license fees set under (a) of this section, a salmon  
 29 management surcharge of \$1 shall be collected on each sport fishing license sold under  
 30 (a)(1), (5), (6), (7), (8), or (10). The amount of the surcharge collected under this  
 31 subsection shall be deposited into the fish and game fund. The legislature may

1 appropriate money collected under this subsection to the Department of Fish and Game  
 2 for the discrete stock management research and data collection program under  
 3 AS 16.05.735.

4 \* **Sec. 4.** AS 16.05.480 is amended by adding a new subsection to read:

5 (d) In addition to the license fee set under (a) of this section for a crewmember  
 6 fishing license, a management surcharge of \$10 shall be collected at the time of  
 7 issuance of a crewmember fishing license. The amount of the surcharge collected  
 8 under this subsection shall be deposited into the general fund. The legislature may  
 9 appropriate money collected under this subsection to the Department of Fish and Game  
 10 for the discrete stock management research and data collection program under  
 11 AS 16.05.735.

12 \* **Sec. 5.** AS 16.43.160 is amended by adding a new subsection to read:

13 (e) In addition to the amounts collected under (a) - (d) of this section, the  
 14 commission shall collect, at the time of renewal of an entry permit or interim-use  
 15 permit for a salmon fishery, a management surcharge that shall reasonably reflect the  
 16 different rates of economic return for different fisheries. The commission shall impose  
 17 an additional surcharge on the renewal of an entry permit or interim-use permit held  
 18 by a nonresident to the extent permitted by law. The total amount of revenue  
 19 generated by the management surcharge must equal \$500,000. The amount of the  
 20 surcharge collected under this subsection shall be deposited into the general fund. The  
 21 legislature may appropriate money collected under this subsection to the Department  
 22 of Fish and Game for the discrete stock management research and data collection  
 23 program under AS 16.05.735.

24 \* **Sec. 6.** AS 43.75.130(a) is amended to read:

25 (a) Except as provided in (d) **and (g)** of this section, the commissioner shall  
 26 pay

27 (1) to each unified municipality and to each city located in the  
 28 unorganized borough [,] 50 percent of the amount of tax revenue collected in the  
 29 municipality from taxes levied under this chapter;

30 (2) to each city located within a borough [,] 25 percent of the amount  
 31 of tax revenue collected in the city from taxes levied under this chapter; and

- 1 (3) to each borough
- 2 (A) 50 percent of the amount of tax revenue collected in the
- 3 area of the borough outside cities from taxes levied under this chapter; and
- 4 (B) 25 percent of the amount of tax revenue collected in cities
- 5 located within the borough from taxes levied under this chapter.

6 \* **Sec. 7.** AS 43.75.130(d) is amended to read:

7 (d) Notwithstanding the provisions of (a)(2) and ~~(3)(B)~~ [(a)(3)(B)] of this

8 section **but subject to (g) of this section**, the commissioner shall pay

9 (1) to each city that is located in a borough incorporated after June 16,

10 1987, the following percentages of the tax revenue collected in the city from taxes

11 levied under this chapter:

12 (A) 45 percent of the taxes collected during the calendar year

13 in which the borough is incorporated;

14 (B) 40 percent of the taxes collected during the first calendar

15 year after the calendar year in which the borough is incorporated;

16 (C) 35 percent of the taxes collected during the second calendar

17 year after the calendar year in which the borough is incorporated; and

18 (D) 30 percent of the taxes collected during the third calendar

19 year after the calendar year in which the borough is incorporated; and

20 (2) to each borough that is incorporated after June 16, 1987, the

21 following percentages of the tax revenue collected in the cities located within the

22 borough from taxes levied under this chapter:

23 (A) 5 percent of the taxes collected during the calendar year in

24 which the borough is incorporated;

25 (B) 10 percent of the taxes collected during the first calendar

26 year after the calendar year in which the borough is incorporated;

27 (C) 15 percent of the taxes collected during the second calendar

28 year after the calendar year in which the borough is incorporated; and

29 (D) 20 percent of the taxes collected during the third calendar

30 year after the calendar year in which the borough is incorporated.

31 \* **Sec. 8.** AS 43.75.130 is amended by adding a new subsection to read:

1           (g) The total amount of fishery business tax revenue distributed to  
2 municipalities under this section must be reduced by the amount of fishery business  
3 tax revenue appropriated to the Department of Fish and Game for the discrete stock  
4 management research and data collection program under AS 16.05.735. The amount  
5 of the reduction in the payment to a municipality under this section is equal to the  
6 ratio, without consideration of whether an appropriation has been made to the  
7 Department of Fish and Game, that the municipality's entitlement under (a) or (d) of  
8 this section bears to the total entitlement of all municipalities under this section  
9 multiplied by the amount of fishery business tax revenue appropriated to the  
10 Department of Fish and Game for the purposes of AS 16.05.735.

11    \* **Sec. 9.** AS 16.05.340(g), added by sec. 3 of this Act, AS 16.05.480(d), added by sec. 4  
12 of this Act, and AS 16.43.160(e), added by sec. 5 of this Act, are applicable to sport fishing  
13 licenses, crewmember licenses, entry permits, and interim-use permits issued for 1998 or a  
14 subsequent year.