

**HOUSE BILL NO. 194**

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-SECOND LEGISLATURE - FIRST SESSION

**BY REPRESENTATIVES STEVENS, Scalzi, Wilson, Hudson, Harris, Lancaster, Kerttula, Moses**

**Introduced: 3/19/01**

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

**A BILL**

**FOR AN ACT ENTITLED**

1 **"An Act relating to fees for commercial fishing licenses and permits; and providing for**  
2 **an effective date."**

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

4 **\* Section 1.** AS 16.05.480(a) is repealed and reenacted to read:

5 (a) A person engaged in commercial fishing shall obtain a commercial fishing  
6 license and shall retain the license in possession and readily available for inspection  
7 during fishing operations. An entry permit or interim-use permit entitles the holder to  
8 participate as a gear operator in the fishery for which the permit is issued and to  
9 participate as a crewmember in any fishery. A crewmember fishing license is not  
10 transferable and entitles the holder to participate as a crewmember in any fishery.

11 **\* Sec. 2.** AS 16.05.480 is amended by adding new subsections to read:

12 (g) For a crewmember fishing license issued for calendar year 2002 and  
13 following years, a resident engaged in commercial fishing who is 11 years of age or  
14 older and who does not hold an entry permit or an interim-use permit shall pay an

1 annual fee of \$60. For a crewmember fishing license issued for calendar year 2002  
 2 and following years, a resident engaged in commercial fishing who is less than 11  
 3 years of age and who does not hold an entry permit or an interim-use permit shall pay  
 4 an annual fee of \$5.

5 (h) For a crewmember fishing license issued for calendar year 2002 and  
 6 following years, a nonresident engaged in commercial fishing who is 11 years of age  
 7 or older and who does not hold an entry permit or an interim-use permit shall pay an  
 8 annual base fee of \$60 plus an amount, established by the department by regulation,  
 9 that does not exceed the maximum allowed by law. For a crewmember fishing license  
 10 issued for calendar year 2002 and following years, a nonresident engaged in  
 11 commercial fishing who is less than 11 years of age and who does not hold an entry  
 12 permit or an interim-use permit shall pay an annual base fee of \$5 plus an amount,  
 13 established by the department by regulation, that does not exceed the maximum  
 14 allowed by law.

15 (i) In this section, "commercial fishing license" includes an entry permit and  
 16 an interim-use permit issued under AS 16.43 and a crewmember fishing license.

17 \* **Sec. 3.** AS 16.43.100(a) is amended to read:

18 (a) To accomplish the purposes set out in AS 16.43.010, the commission shall

19 (1) regulate entry into the commercial fisheries for all fishery resources  
 20 in the state;

21 (2) establish priorities for the application of the provisions of this  
 22 chapter to the various commercial fisheries of the state;

23 (3) establish administrative areas suitable for regulating and  
 24 controlling entry into the commercial fisheries;

25 (4) establish, for all types of gear, the maximum number of entry  
 26 permits for each administrative area;

27 (5) designate, when necessary to accomplish the purposes of this  
 28 chapter, particular species for which separate interim-use permits or entry permits will  
 29 be issued;

30 (6) establish qualifications for the issuance of entry permits;

31 (7) issue entry permits to qualified applicants;

1 (8) issue interim-use permits as provided in AS 16.43.210, 16.43.220,  
2 and 16.43.225;

3 (9) establish, for all types of gear, the optimum number of entry  
4 permits for each administrative area;

5 (10) administer the buy-back program provided for in AS 16.43.310  
6 and 16.43.320 to reduce the number of outstanding entry permits to the optimum  
7 number of entry permits;

8 (11) provide for the transfer and reissuance of entry permits to  
9 qualified transferees;

10 (12) provide for the transfer and reissuance of entry permits for  
11 alternative types of legal gear, in a manner consistent with the purposes of this  
12 chapter;

13 (13) **establish and** administer the collection of the annual fees  
14 provided for in AS 16.43.160;

15 (14) administer the issuance of commercial fishing vessel licenses  
16 under AS 16.05.490;

17 (15) issue educational entry permits to applicants who qualify under  
18 the provisions of AS 16.43.340 - 16.43.390;

19 (16) establish reasonable user fees for services;

20 (17) issue landing permits under AS 16.05.675 and regulations adopted  
21 under that section;

22 (18) establish and collect annual fees for the issuance of landing  
23 permits that reasonably reflect the costs incurred in the administration and  
24 enforcement of provisions of law related to landing permits; and

25 (19) establish a moratorium on entry into commercial fisheries as  
26 provided in AS 16.43.225.

27 \* **Sec. 4.** AS 16.43.160(a) is amended to read:

28 (a) The commission shall establish annual fees for the issuance and annual  
29 renewal of entry permits or interim-use permits. [THE AMOUNT PAID BY A  
30 PERMIT HOLDER UNDER THE PROVISIONS OF AS 16.05.480 SHALL BE  
31 CREDITED BY THE COMMISSION TOWARD PAYMENT OF THE FEE

1 CHARGED UNDER THIS SECTION. NO MORE THAN ONE CREDIT MAY BE  
2 OBTAINED ANNUALLY BY A PERSON.]

3 \* **Sec. 5.** AS 16.43.160 is amended by adding new subsections to read:

4 (e) For an entry permit or an interim-use permit issued for calendar year 2002  
5 and following years, the annual base fee may not be less than \$10 or more than \$300.  
6 The annual base fee must reasonably reflect the different rates of economic return for  
7 different fisheries. The fee for a nonresident entry permit or a nonresident interim-use  
8 permit shall be higher than the annual base fee by an amount, established by the  
9 commission by regulation, that does not exceed the maximum allowed by law.

10 (f) For an entry permit or an interim-use permit issued for calendar year 2002  
11 and following years, the holder of a permit whose household income, assets, and  
12 financial resources fall within the eligibility standards for the food stamp program  
13 under 7 U.S.C. 2001 - 2025, as amended, is subject to a maximum annual fee that is  
14 equal to 50 percent of the fee that the permit holder would otherwise pay under (e) of  
15 this section.

16 \* **Sec. 6.** AS 16.05.480(f); AS 16.43.160(b), and 16.43.160(c) are repealed.

17 \* **Sec. 7.** Sections 2 - 5 of this Act take effect immediately under AS 01.10.070(c).

18 \* **Sec. 8.** Sections 1 and 6 of this Act take effect on January 1, 2002.