

**HOUSE BILL NO. 281**

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-THIRD LEGISLATURE - FIRST SESSION

**BY REPRESENTATIVE WEYHRAUCH**

**Introduced: 4/23/03**

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

**A BILL**

**FOR AN ACT ENTITLED**

1 **"An Act relating to a moratorium on entry of vessels into the Southeast Alaska sport**  
2 **fish charter fishery; and providing for an effective date."**

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

4 \* **Section 1.** The uncodified law of the State of Alaska is amended by adding a new section  
5 to read:

6 MORATORIUM ON VESSELS USED IN CHARTER SERVICE FOR THE  
7 RECREATIONAL TAKING OF FISH AND SHELLFISH. (a) After December 31, 2003, a  
8 person may not use a vessel in charter service for the recreational taking of fish and shellfish in  
9 Southeast Alaska east of Cape Suckling unless the vessel has been issued a current vessel license  
10 under AS 16.05.490 and a current Southeast Alaska saltwater charter vessel tab under (b) of this  
11 section.

12 (b) For 2004 and subsequent calendar years, the Alaska Commercial Fisheries Entry  
13 Commission shall issue an annual Southeast Alaska saltwater charter vessel tab for a vessel to be  
14 used in charter service for the recreational taking of fish and shellfish in Southeast Alaska east of

1 Cape Suckling if the vessel was

2 (1) issued a vessel license under AS 16.05.490 for 2002, or, before the effective  
3 date of this Act, was issued a vessel license for 2003; and

4 (2) used in charter service for the recreational taking of fish and shellfish in  
5 Southeast Alaska east of Cape Suckling in 2002 or 2003, as documented by Department of Fish  
6 and Game saltwater charter vessel logbooks.

7 (c) The Southeast Alaska saltwater charter vessel tab issued to a vessel under this section  
8 must be affixed to the number plate attached to the vessel under AS 16.05.520.

9 (d) A person who owns a vessel for which a tab has been issued under this section may  
10 request the Alaska Commercial Fisheries Entry Commission to transfer the tab to another vessel  
11 if the other vessel is either a temporary or permanent replacement for the vessel for which the tab  
12 was originally issued under (b) of this section. The tab transferred to the replacement vessel may  
13 be renewed annually and may be further transferred to another vessel. The replaced vessel is not  
14 eligible to receive a tab under this section unless the vessel is subsequently used to replace  
15 another vessel for which a tab has been issued under this section.

16 (e) If a vessel for which a tab is issued or transferred under this section is sold, the owner  
17 of the vessel may request the Alaska Commercial Fisheries Entry Commission to transfer the tab  
18 to the new owner of the vessel.

19 (f) The transfer of a tab under (d) or (e) of this subsection may not have the effect of  
20 increasing the total number of tabs issued for vessels used in charter service for the recreational  
21 taking of fish and shellfish in Southeast Alaska east of Cape Suckling.

22 (g) A tab issued under this section may not be sold or otherwise transferred for value. A  
23 transfer for value does not include the enhanced value of a vessel that is attributable to the  
24 transfer of the ownership of the vessel that is accompanied by the transfer of the tab issued for  
25 the vessel under this section to the new owner of the vessel.

26 (h) The Alaska Commercial Fisheries Entry Commission may also issue a tab under (b)  
27 of this section for a vessel to be used in the charter service for the recreational taking of fish and  
28 shellfish in Southeast Alaska east of Cape Suckling if

29 (1) a substantial and continuing effort toward the construction of the vessel for  
30 use in charter service for the recreational taking of fish and shellfish in Southeast Alaska east of  
31 Cape Suckling was begun on or before the effective date of this Act, the vessel was not

1 completed until after the effective date of this Act, and the application for the tab is made to the  
2 Alaska Commercial Fisheries Entry Commission by December 31, 2003; or

3 (2) a substantial and nonrefundable payment toward the purchase of the vessel  
4 for use in charter service for the recreational taking of fish and shellfish in Southeast Alaska east  
5 of Cape Suckling was made on or before the effective date of this Act, the transfer of ownership  
6 of the vessel did not occur until after the effective date of this Act, and the application for the tab  
7 is made to the Alaska Commercial Fisheries Entry Commission by December 31, 2003.

8 (i) The Alaska Commercial Fisheries Entry Commission may adopt regulations as it  
9 considers necessary to carry out this section.

10 (j) A person who violates this subsection is guilty of a class A misdemeanor.

11 \* **Sec. 2.** This Act is repealed December 31, 2007.

12 \* **Sec. 3.** This Act takes effect immediately under AS 01.10.070(c).