

CS FOR HOUSE BILL NO. 174(RES)

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-FOURTH LEGISLATURE - FIRST SESSION

BY THE HOUSE RESOURCES COMMITTEE

Offered: 4/4/05

Referred: Finance

Sponsor(s): REPRESENTATIVE SAMUELS

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to commercial fishing permit and vessel license fees; and providing for**
2 **an effective date."**

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

4 *** Section 1.** AS 16.05.520(a) is amended to read:

5 (a) The vessel license includes a permanent number plate. The number plate
6 shall be accompanied by a tab affixed to **the number plate** [IT] designating the year
7 to be fished. A number plate is not transferable, and **the number plate** [IT] shall be
8 considered a permanent fixture upon the vessel upon which **the number plate** [IT] is
9 originally placed. **The number plate** [IT] shall be securely fastened well forward on
10 the port side in plain sight. On a vessel with a superstructure the **number** plate shall
11 be fastened on the port side of the superstructure. A number plate remains the
12 property of the state. **The Alaska Commercial Fisheries Entry Commission may**
13 **establish by regulation a reasonable fee for the initial issuance of a permanent**
14 **number plate.** If a permanent number plate is accidentally defaced, mutilated,

1 destroyed, or lost, the person owning or operating the vessel shall immediately apply
2 for and may obtain a duplicate upon furnishing the Alaska Commercial Fisheries
3 Entry Commission with the pertinent facts and a payment of **a reasonable fee**
4 **established by the commission by regulation that is not less than \$2.**

5 * **Sec. 2.** AS 16.05.530 is repealed and reenacted to read:

6 **Sec. 16.05.530. Renewal of vessel license.** (a) Upon payment of the vessel
7 license fee and filing of the name and address of the owner of the vessel or the owner's
8 authorized agent, the name and number of the vessel, a description of the vessel, the
9 vessel license number, if any, the area to be fished, and other reasonable information
10 required by the Alaska Commercial Fisheries Entry Commission, the commission
11 shall issue a permanent number plate and a vessel license. If the vessel has a
12 permanent number plate, the commission shall issue a vessel license and tab
13 designating the year the license is valid. The tab shall be placed in the space provided
14 on the permanent number plate.

15 (b) For calendar year 2006 and following years, the annual fee for a vessel
16 license issued or renewed under this section is set according to the overall length, as
17 defined by the United States Coast Guard, of the vessel under the following schedule:

- 18 (1) 0 - 25 feet \$24
- 19 (2) over 25 feet - 50 feet 60
- 20 (3) over 50 feet - 75 feet 120
- 21 (4) over 75 feet - 150 feet 300
- 22 (5) over 150 feet - 250 feet 600
- 23 (6) over 250 feet 900.

24 * **Sec. 3.** AS 16.43.160 is repealed and reenacted to read:

25 **Sec. 16.43.160. Fees.** (a) Except as specifically provided in this section, the
26 commission shall establish annual fees for the issuance and annual renewal of entry
27 permits or interim-use permits.

28 (b) The commission may charge interest at a rate not to exceed the legal rate
29 of interest established in AS 45.45.010 on fees more than 60 days overdue.

30 (c) For an entry permit or an interim-use permit issued or renewed for
31 calendar year 2006 and following years, the annual base fee for issuance or renewal of

1 an entry permit or an interim-use permit may not be less than \$30 or more than
2 \$3,000. The annual base fee must reasonably reflect the different rates of economic
3 return for different fisheries. In addition to the annual base fee established by the
4 commission under this subsection, a nonresident shall pay an annual nonresident
5 surcharge for the issuance or renewal of one or more entry permits or interim-use
6 permits. The commission shall establish the annual nonresident surcharge by
7 regulation at an amount that is as close as is practicable to the maximum allowed by
8 law.

9 (d) For an entry permit or an interim-use permit issued or renewed for
10 calendar year 2006 and following years, the holder of a permit whose household
11 income, assets, and financial resources fall within the eligibility standards for the food
12 stamp program under 7 U.S.C. 2011 - 2025, as amended, is subject to an annual base
13 fee for the issuance or renewal of an entry permit or an interim-use permit that is equal
14 to 50 percent of the annual base fee that the permit holder would otherwise pay under
15 (c) of this section. In addition to the reduced annual base fee under this subsection, a
16 nonresident who qualifies for a reduced fee under this subsection shall pay the annual
17 nonresident surcharge established under (c) of this section.

18 * **Sec. 4.** The uncodified law of the State of Alaska is amended by adding a new section to
19 read:

20 **VESSEL LICENSE FEES FOR CALENDAR YEAR 2005.** (a) Notwithstanding the
21 repeal and reenactment of AS 16.05.530, by sec. 2 of this Act, the annual license fee for a
22 vessel license issued or renewed for calendar year 2005 is set according to the overall length,
23 as defined by the United States Coast Guard, of the vessel under the following schedule:

24	(1) 0 - 25 feet	\$20
25	(2) over 25 feet - 50 feet	50
26	(3) over 50 feet - 75 feet	100
27	(4) over 75 feet - 150 feet	250
28	(5) over 150 feet - 250 feet	500
29	(6) over 250 feet	750.

30 (b) Notwithstanding the repeal and reenactment of AS 16.05.530, by sec. 2 of this
31 Act, a vessel license issued or renewed for calendar year 2005 under the former provisions of

1 AS 16.05.530 before the effective date of sec. 2 of this Act is valid for the period for which
2 the license was issued or renewed.

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

5 FEES FOR ENTRY PERMITS AND INTERIM-USE PERMITS FOR CALENDAR
6 YEAR 2005. (a) Notwithstanding the repeal and reenactment of AS 16.43.160, by sec. 3 of
7 this Act, for an entry permit or an interim-use permit issued or renewed for calendar year
8 2005, on or after the effective date of sec. 3 of this Act, the annual base fee may not be less
9 than \$10 or more than \$300. The annual base fee must reasonably reflect the different rates of
10 economic return for different fisheries. In addition to the annual base fee established by the
11 Alaska Commercial Fisheries Entry Commission under this subsection, a nonresident shall
12 pay an annual nonresident surcharge for the issuance or renewal of one or more entry permits
13 or interim-use permits. The annual nonresident surcharge shall be established by the
14 commission by regulation at an amount that is as close as is practicable to the maximum
15 allowed by law.

16 (b) Notwithstanding the repeal and reenactment of AS 16.43.160, by sec. 3 of this
17 Act, for an entry permit or an interim-use permit issued or renewed for calendar year 2005,
18 the holder of a permit whose household income, assets, and financial resources fall within the
19 eligibility standards for the food stamp program under 7 U.S.C. 2011 - 2025, as amended, is
20 subject to a maximum annual base fee that is equal to 50 percent of the annual base fee that
21 the permit holder would otherwise pay under (a) of this section. In addition to the annual base
22 fee under this subsection, a nonresident who qualifies for a reduced fee under this subsection
23 shall pay an annual nonresident surcharge of \$57 for the issuance or renewal of one or more
24 entry permits or interim-use permits.

25 (c) Notwithstanding the repeal and reenactment of AS 16.43.160, by sec. 3 of this
26 Act, an entry permit or an interim-use permit issued or renewed for calendar year 2005 under
27 the former provisions of AS 16.43.160 before the effective date of sec. 3 of this Act is valid
28 for the period for which the entry permit or the interim-use permit was issued or renewed.

29 * **Sec. 6.** This Act takes effect immediately under AS 01.10.070(c).