

Original sponsor: Rules Committee by  
request of the Governor

Offered: 4/28/76  
Referred: Resources

1 IN THE SENATE

BY THE COMMERCE COMMITTEE

2 CS FOR SENATE BILL NO. 688

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 NINTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to salmon hatcheries; and providing  
7 for an effective date."

8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

9 \* Section 1. INTENT. It is the intent of this Act to produce salmon for  
10 the common property fisheries of the state.

11 \* Sec. 2. AS 16.10 is amended by adding new sections to read:

12 Sec. 16.10.375. REGIONAL PLAN FOR SALMON ENHANCEMENT. The com-  
13 missioner shall designate regions of the state for the purpose of  
14 enhancing salmon production and shall develop and amend as necessary a  
15 comprehensive salmon enhancement plan for each region for both public  
16 and private nonprofit hatchery systems. Comprehensive salmon enhance-  
17 ment plans shall be developed in cooperation with appropriate qualified  
18 regional associations formed under sec. 380 of this chapter.

19 Sec. 16.10.380. REGIONAL ASSOCIATIONS. (a) The commissioner  
20 shall assist in and encourage the formation of qualified regional  
21 associations for the purpose of enhancing salmon production. A regional  
22 association is qualified if the commissioner determines that

23 (1) it is comprised of associations representative of com-  
24 mercial fishermen in the region;

25 (2) it includes representatives of other user groups inter-  
26 ested in fisheries within the region who wish to belong; and

27 (3) it possesses a board of directors which includes no less  
28 than one representative of each user group that belongs to the associa-  
29 tion.

1 (b) In this section "user group" includes, but is not limited to,  
2 sport fishermen, processors, commercial fishermen, subsistence fisher-  
3 men, and representatives of local communities.

4 Sec. 16.10.475. DEFINITIONS. In secs. 375 - 470 of this chapter

5 (1) "commissioner" means the commissioner of fish and game;

6 (2) "department" means the Department of Fish and Game.

7 \* Sec. 3. AS 16.10.400 is amended by adding new subsections to read:

8 (e) A qualified regional association formed under sec. 380 of this  
9 chapter, if it has become a nonprofit corporation under AS 10.20, has  
10 a preference right to a permit if its proposed hatchery is provided for  
11 in the comprehensive plan for that region developed under sec. 375 of  
12 this chapter. A local nonprofit corporation established or approved  
13 by a qualified regional association has an identical preference right.

14 (f) Except for permits issued before the effective date of this  
15 Act, no permit may be issued for construction or operation of a hatchery  
16 on an anadromous fish stream unless the stream has been classified as  
17 suitable for enhancement purposes by the commissioner. The commissioner  
18 shall undertake to make such classifications in conjunction with the  
19 development of the comprehensive plan under sec. 375 of this chapter.

20 (g) During the development of a comprehensive plan for a region  
21 no permit may be issued for a hatchery unless the commissioner deter-  
22 mines that such an action would result in substantial public benefits  
23 and would not jeopardize natural stocks.

24 \* Sec. 4. This Act takes effect immediately in accordance with AS 01.10.-  
25 070(c).