

Original sponsor: Poland

Offered: 4/22/77
Referred: Rules

1 IN THE SENATE

BY THE RESOURCES COMMITTEE

2 HOUSE CS FOR CS FOR SENATE BILL NO. 196

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the regulation of shellfish pots
7 and buoys used in the taking of king crab."

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

9 * Section 1. INTENT. It is the intent of this Act to require positive
10 identification of shellfish pots or buoys, or both, used in the taking of
11 king crab within areas in which the Board of Fisheries has regulations
12 limiting the total amount of gear allowed per vessel in order to

13 (1) more adequately enforce shellfish pot limits for king crab;

14 (2) assist in preventing the theft of gear;

15 (3) prevent the transfer of gear to prohibited areas; and

16 (4) better manage the fishery by providing a visible means of

17 determining how much gear is actually being fished.

18 * Sec. 2. AS 16.05 is amended by adding a new section to read:

19 Sec. 16.05.632. IDENTIFICATION OF SHELLFISH POTS OR BUOYS, OR
20 BOTH, USED IN THE TAKING OF KING CRAB AND REQUIREMENTS FOR BUOYS. (a)
21 Registration tags for the identification of shellfish pots or buoys, or
22 both, used in the taking of king crab are required in areas in which the
23 board has regulations limiting the total amount of shellfish pots allowed
24 per vessel. Registration tags shall

25 (1) be issued by the Department of Fish and Game under regu-
26 lations promulgated by the board;

27 (2) be nontransferable, unless the shellfish pot license
28 issued under sec. 630 of this chapter is transferred in accordance with
29 sec. 670 of this chapter, in which case the registration tags shall be

1 transferred with the license;

2 (3) be individually numbered, designating the year of issu-
3 ance;

4 (4) be permanently affixed to each shellfish pot or buoy,
5 or both, used in the taking of king crab, whichever in the determination
6 of the board is appropriate for identification, and in a manner deter-
7 mined to be appropriate by the board;

8 (5) conform to other requirements determined to be appropri-
9 ate by the board; and

10 (6) be issued and renewed for a fee equal to the cost of
11 obtaining the registration tags plus reasonable administrative costs,
12 under procedures determined to be appropriate by the Department of Fish
13 and Game.

14 (b) The unauthorized production, reproduction, sale, exchange,
15 distribution, or use of registration tags required in (a) of this sec-
16 tion is prohibited.

17 (c) In addition to meeting other requirements imposed by law, each
18 shellfish pot used in the taking of king crab shall be connected to one
19 durable "sea lion" buoy of an appropriate type and diameter as specified
20 by the board. The buoy shall conform to other specifications determined
21 to be appropriate by the board.

22 (d) For the purposes of this section

23 (1) "registration tags" means any tag, tape, or other identi-
24 fication device or method determined to be appropriate by the board; and

25 (2) "board" means the Board of Fisheries.

26 (e) Upon conviction of a person of a violation of (a) or (b) of
27 this section or a regulation adopted under (a) or (b) of this section,
28 the court shall, in addition to any other penalty imposed by law, revoke
29 the violator's shellfish pot license for a period of not less than

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29

12 consecutive months nor more than five years and, in addition, re-
strict the boat used in a violation of (a) of this section from being
used in the taking of king crab for the same period as the shellfish pot
license is revoked. After the restriction is imposed, if the boat is
used in the taking of king crab within the period of restriction, it
shall be seized and forfeited to the state as provided in sec. 195 of
this chapter.

#