

Introduced: 3/27/81
Referred: Resources

1 IN THE HOUSE

BY FREEMAN

2 HOUSE BILL NO. 420

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TWELFTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to charter fishing vessels and opera-
7 tors."

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

9 * Section 1. AS 08.01.010 is amended by adding a new paragraph to read:

10 (24) registration of charter fishing operations.

11 * Sec. 2. AS 08 is amended by adding a new chapter to read:

12 CHAPTER 63. CHARTER FISHING VESSEL OPERATORS.

13 Sec. 08.63.010. REGISTRATION REQUIRED. A person may not conduct
14 or offer to conduct charter fishing operations unless the person has
15 been issued a certificate of registration by the Department of Commerce
16 and Economic Development. A partnership or joint venture is considered
17 registered if one of the general partners or venturers whose name
18 appears in the name under which the partnership or venture does busi-
19 ness is registered.

20 Sec. 08.63.020. ISSUANCE OF CERTIFICATE OF REGISTRATION. The
21 department shall issue a certificate of registration to a person who
22 furnishes proof acceptable to the department that

23 (1) the person has been issued the business license required
24 under AS 43.70.020;

25 (2) the person has in effect public liability and property
26 damage insurance covering his charter fishing operations in the sum of
27 not less than \$20,000 for damage to property, \$50,000 for injury or
28 death to any one person, and \$100,000 for injury or death to more than
29 one person;

1 (3) the vessel to be used by the person to conduct charter
2 fishing operations is licensed under AS 16.05.490;

3 (4) the person has been issued the licenses required under
4 federal laws and regulations; and

5 (5) the vessel to be used by the person to conduct charter
6 fishing operations meets the requirements of federal law and regula-
7 tions applicable to the vessel.

8 Sec. 08.63.025. CERTIFICATE. (a) The registration certificate
9 shall authorize the operator to conduct charter fishing operations and
10 to deploy either

11 (1) not more than six fishing lines; or

12 (2) more than six fishing lines.

13 (b) The certificate of registration shall indicate the charter
14 fishing district within which the person is registered to conduct
15 charter fishing operations.

16 Sec. 08.63.030. CHARTER FISHING DISTRICTS. There are established
17 charter fishing districts. The boundaries of charter fishing districts
18 are identical to the boundaries of the regions designated by the com-
19 missioner of fish and game for the purposes of salmon production under
20 AS 16.10.375.

21 Sec. 08.63.040. CHARTERS LIMITED. (a) An operator may not
22 deploy more than six lines while conducting charter fishing operations
23 unless authorized to do so by the certificate of registration issued
24 under this chapter.

25 (b) A person issued a certificate of registration authorizing the
26 deployment of more than six lines while fishing may not conduct or
27 offer to conduct charter fishing operations for the purpose of taking
28 salmon.

29 (c) A person may not conduct charter fishing operations outside

1 the district for which he is registered.

2 Sec. 08.63.050. VESSEL IDENTIFICATION. A vessel to be used to
3 conduct charter fishing operations shall display markings which identify
4 the vessel's purpose. These markings shall be easily visible from a
5 distance.

6 Sec. 08.63.060. DURATION AND RENEWAL OF CERTIFICATE OF REGIS-
7 TRATION. (a) A certificate of registration shall be renewed if the
8 person seeking renewal complies with the original requirements of
9 registration prescribed under AS 08.63.020.

10 (b) A certificate of registration expires on June 30 of the
11 calendar year following the date of issuance or renewal.

12 Sec. 08.63.070. FEES. (a) An applicant for a certificate of
13 registration shall pay an original registration fee of \$75.

14 (b) The fee for the renewal of a registration certificate for
15 each calendar year is \$20.

16 Sec. 08.63.080. MISDEMEANOR. A charter fishing boat owner or
17 operator who violates this chapter is guilty of a misdemeanor.

18 Sec. 08.63.100. DEFINITIONS. In this chapter,

19 (1) "charter fishing operations" means fishing ventures for
20 profit in saltwater, or in freshwater if the vessel arrived there by a
21 saltwater route;

22 (2) "charter fishing vessel" means a vessel used for hire in
23 the recreational or subsistence taking of fish or shellfish;

24 (3) "department" means the Department of Commerce and Eco-
25 nomic Development;

26 (4) "operator" means a person in physical control of a
27 charter fishing vessel or associated fishing operations while under
28 hire.

29 * Sec. 3. The provisions of AS 08.01 are applicable to proceedings by



1 the commissioner of commerce and economic development to enforce AS 08.63
2 notwithstanding the fact that AS 08.63 does not create a licensing board.

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