

1 IN THE HOUSE

BY ADAMS AND GOLL

2

HOUSE BILL NO. 346

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

FIFTEENTH LEGISLATURE - SECOND SESSION

5

A BILL

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For an Act entitled: "An Act authorizing the Board of Fisheries to estab-

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lish noncommercial fishing seasons and areas for

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children and elderly persons; and providing for an

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effective date."

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

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* Section 1. AS 16.05.251(a) is amended to read:

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(a) The Board of Fisheries may adopt regulations it considers

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advisable in accordance with the Administrative Procedure Act (AS 44.-

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62) for

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(1) setting apart fish reserve areas, refuges, and sanctu-

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aries in the waters of the state over which it has jurisdiction,

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subject to the approval of the legislature;

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(2) establishing open and closed seasons and areas for the

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taking of fish; if consistent with resource conservation goals and

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necessary to assist children and elderly persons to participate in

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sport, personal use, and subsistence fishing, the board may adopt

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regulations establishing restricted seasons and areas for persons 12

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years of age and younger and 65 years of age and older;

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(3) setting quotas, bag limits, harvest levels, and sex and

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size limitations on the taking of fish;

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(4) establishing the means and methods employed in the

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pursuit, capture, and transport of fish;

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(5) establishing marking and identification requirements

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for means used in pursuit, capture, and transport of fish;

1 (6) classifying as commercial fish, sport fish, personal
2 use fish, subsistence fish, or predators or other categories essential
3 for regulatory purposes;

4 (7) watershed and habitat improvement, and management,
5 conservation, protection, use, disposal, propagation, and stocking of
6 fish;

7 (8) investigating and determining the extent and effect of
8 disease, predation, and competition among fish in the state, exercis-
9 ing control measures considered necessary to the resources of the
10 state;

11 (9) prohibiting and regulating the live capture, posses-
12 sion, transport, or release of native or exotic fish or their eggs;

13 (10) establishing seasons, areas, quotas, and methods of
14 harvest for aquatic plants;

15 (11) establishing the times and dates during which the
16 issuance of fishing licenses, permits, and registrations and the
17 transfer of permits and registrations between registration areas is
18 allowed; however, this paragraph does not apply to permits issued or
19 transferred under AS 16.43;

20 (12) regulating commercial, sport, subsistence, and personal
21 use fishing as needed for the conservation, development, and utilisa-
22 tion of fisheries;

23 (13) requiring, in a fishery, observers on board fishing
24 vessels, as defined in AS 16.05.475(d), that are registered under the
25 laws of the state, as defined in AS 16.05.475(c), after making a
26 written determination that an on-board observer program

27 (A) is the only practical data-gathering or enforce-
28 ment mechanism for that fishery;

29 (B) will not unduly disrupt the fishery;

1 (C) can be conducted at a reasonable cost; and
2 (D) can be coordinated with observer programs of other
3 agencies, including the National Marine Fisheries Service, North
4 Pacific Fishery Management Council, and the International Pacific
5 Halibut Commission;

6 (14) establishing nonexclusive, exclusive, and superexclu-
7 sive registration and use areas for regulating commercial fishing.

8 * Sec. 2. This Act takes effect immediately under AS 01.10.070(c).