

Original sponsors: Adams, Goll
and Wallis

1 IN THE HOUSE

BY THE RESOURCES COMMITTEE

2 CS FOR SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 346 (Resources)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FIFTEENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act authorizing the Board of Fisheries to estab-
7 lish noncommercial fishing seasons and areas for
8 elderly persons; and providing for an effective
9 date."

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

11 * Section 1. FINDINGS. The legislature finds that many people 60 years
12 of age and older may need separate seasons and areas in order to continue
13 sport, personal use, or subsistence fishing because they are generally less
14 able to gain access to fishing areas that may be open to all age groups.

15 * Sec. 2. AS 16.05.251(a) is amended to read:

16 (a) The Board of Fisheries may adopt regulations it considers
17 advisable in accordance with the Administrative Procedure Act (AS 44.-
18 62) for

19 (1) setting apart fish reserve areas, refuges, and sanctu-
20 aries in the waters of the state over which it has jurisdiction,
21 subject to the approval of the legislature;

22 (2) establishing open and closed seasons and areas for the
23 taking of fish; if consistent with resource conservation and develop-
24 ment goals, the board may adopt regulations establishing restricted
25 seasons and areas necessary for persons 60 years of age and older to
26 participate in sport, personal use, or subsistence fishing;

27 (3) setting quotas, bag limits, harvest levels, and sex and
28 size limitations on the taking of fish;

29 (4) establishing the means and methods employed in the

1 pursuit, capture, and transport of fish;

2 (5) establishing marking and identification requirements
3 for means used in pursuit, capture, and transport of fish;

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

7 (7) watershed and habitat improvement, and management,
8 conservation, protection, use, disposal, propagation, and stocking of
9 fish;

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

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

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

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

23 (12) regulating commercial, sport, subsistence, and personal
24 use fishing as needed for the conservation, development, and utiliza-
25 tion of fisheries;

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

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

3 (B) will not unduly disrupt the fishery;

4 (C) can be conducted at a reasonable cost; and

5 (D) can be coordinated with observer programs of other
6 agencies, including the National Marine Fisheries Service, North
7 Pacific Fishery Management Council, and the International Pacific
8 Halibut Commission;

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

11 * Sec. 3. This Act takes effect immediately under AS 01.10.070(c).