

SENATE BILL NO. 457

IN THE LEGISLATURE OF THE STATE OF ALASKA

SEVENTEENTH LEGISLATURE - SECOND SESSION

BY THE SENATE RULES COMMITTEE BY REQUEST OF THE SENATE SPECIAL COMMITTEE ON DOMESTIC AND INTERNATIONAL COMMERCIAL FISHERIES

Introduced: 3/23/92
Referred: Resources

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to management of wild and hatchery stocks of anadromous fish; and
2 amending the definition of 'fishery.'"

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

4 * Section 1. AS 16.05 is amended by adding a new section to read:

5 ARTICLE 5. MANAGEMENT OF FISHERIES.

6 Sec. 16.05.730. MANAGEMENT OF WILD AND HATCHERY STOCKS OF
7 ANADROMOUS FISH. (a) The Board of Fisheries shall manage fisheries in the state to
8 achieve sustained yield for wild anadromous fish stocks.

9 (b) In managing hatchery produced anadromous fish stocks, the board shall consider the
10 need of anadromous fish hatcheries to obtain brood stock. The board may manage fisheries in
11 the state to achieve an adequate return of hatchery produced anadromous fish stocks to hatcheries
12 for brood stock; however, management to achieve an adequate return to hatcheries for brood
13 stock may not prevent achievement of sustained yield for wild anadromous fish stocks.

14 (c) The board may consider the need of hatcheries authorized under AS 16.10.400 to

1 harvest and sell fish produced by the hatchery that are surplus to needs for brood stock to offset
2 the cost of operating the hatchery. The board may exercise its authority under this title as it
3 considers necessary to provide a reasonable return of surplus fish to a hatchery to offset the cost
4 of operating the hatchery if the return of surplus fish to the hatchery or the harvest of surplus fish
5 by the hatchery does not prevent achievement of sustained yield for wild anadromous fish stocks.
6 The board may adopt criteria for determining the reasonable needs of hatcheries for surplus fish
7 and may adopt a management plan to provide surplus fish to a hatchery.

8 * Sec. 2. AS 16.05.940(12) is repealed and reenacted to read:

9 (12) "fishery" means a specific administrative area in which a specific fishery
10 resource is taken with a specific type of gear; however, the Board of Fisheries may designate a
11 fishery to include more than one specific administrative area, type of gear, or fishery resource;
12 in this paragraph,

13 (A) "gear" means the specific apparatus used in the harvest of a fishery
14 resource; and

15 (B) "type of gear" means an identifiable classification of gear and may
16 include

17 (i) classifications for which separate regulations are adopted by the
18 Board of Fisheries or for which separate gear licenses were required by former
19 AS 16.05.550 - 16.05.630; and

20 (ii) distinct subclassifications of gear such as "power" troll gear
21 and "hand" troll gear;