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by-products of fish and wildlife resources taken for personal or family consumption, and for the customary trade, barter or sharing for personal or family consumption; for the purposes of this paragraph, "family" means all persons related by blood, marriage, or adoption, and any person living within the household on a permanent basis;

(27) "barter" means the exchange or trade of fish or game, or their parts, taken for subsistence uses

(A) for other fish or game or their parts; or

(B) for other food or for nonedible items other than money if the exchange is of a limited and noncommercial nature.

(am § 12 ch 105 SLA 1977; am §§ 14, 15 ch 151 SLA 1978)

Effect of amendments.

The 1977 amendment, effective January 1, 1978, deleted "or to the spouse of a commercial fisherman who does not receive income separate and distinct from that of the commercial fisherman spouse as a result of the spouse's participation" following "directly or indirectly participate in the taking" in paragraph (2).

The 1978 amendment substituted "subsistence uses" for "personal use and not for sale or barter" in paragraph (17) and added paragraphs (26) and (27).

As the rest of the section was not affected by the amendments, it is not set out.

Editor's note.

As to legislative intent, see § 1, ch. 151, SLA 1978, in the 1978 Temporary and Special Acts and Resolutions in Binder 9.

Legislative history report. — For report on ch. 151, SLA 1978 (SB 960), see 1978 House Journal, p. 1154.

Chapter 10. Fisheries and Fishing Regulations.

Article 2. Fish Traps and Other Illegal Fishing Devices.

Section

130. Penalties for violation of §§ 120--125 of this chapter

Sec. 16.10.130. Penalties for violation of §§ 120--125 of this chapter. A person who violates §§ 120--125 of this chapter is guilty of a misdemeanor, and upon conviction is punishable by imprisonment for not more than six months, or by a fine of not more than \$1,000, or by both. (§ 2 ch 26 SLA 1959; am § 4 ch 103 SLA 1977)

Effect of amendment. -- The 1977 amendment, effective August 1, 1978, substituted "§§ 120 -- 125" for "§ 120" near the beginning of the section.

Article 7. Commercial Fishing Loan Act.

Section

- 310. Powers of the department
- 320. Limitations on loans
- 333. Loans for purchase of Alaska limited entry permits
- 335. Default and foreclosure

Section

- 327. Deficiencies and transfer of entry permits after foreclosure
- 339. Regulations
- 342. Special account established
- 360. Definitions

Sec. 16.10.310. Powers of the department. (a) The department may (1) make loans to

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(A) individual commercial fishermen who have been state residents for a continuous period of five years immediately preceding the date of application for a loan under §§ 300—370 of this chapter and have had a crewmember or commercial fishing license under AS 16.05.480 or a permit under ch. 43 of this title for any one of the past five years, and who actively participated in the fishery during that period, for the repair, restoration or upgrading of existing vessels and gear, for the purchase of entry permits and gear, and for the construction and purchase of vessels; and

(B) Repealed by § 2 ch 190 SLA 1976.

(C) corporations, partnerships, or joint ventures, 100 per cent of which are owned by individual commercial fishermen who have been state residents for a continuous period of five years immediately preceding the date of application for a loan under §§ 300—370 of this chapter and have had a crewmember or commercial fishing license under AS 16.05.480 or a permit under ch. 43 of this title for any three of the past five years, and who actively participated in the fishery during that period, for the repair, restoration or upgrading of existing vessels and gear, for the purchase of gear, and for the construction and purchase of vessels.

(2) designate agents and delegate its powers to them as necessary;

(3) adopt rules and regulations necessary to carry out its functions;

(4) establish amortization plans for repayment of loans, which may include extensions for poor fishing seasons;

(5) enter into agreements with private lending institutions, other state agencies or agencies of the federal government, to carry out the purposes of §§ 300—370 of this chapter.

(b) The department shall consult with the Department of Fish and Game on regulations and procedures established under this chapter. (§ 1 ch 134 SLA 1972; am § 2 ch 54 SLA 1973; am § 2 ch 128 SLA 1975; am § 2 ch 190 SLA 1976; am § 13 ch 105 SLA 1977; am §§ 1, 2 ch 83 SLA 1978)

Effect of amendments.

The 1977 amendment, effective January 1, 1978, in paragraph (1)(A) of subsection (a), substituted "crewmember or commercial fishing license under AS 16.05.480 or a permit under ch. 43 of this title" for "commercial fishing license," inserted commas following "three years," "existing vessels and gear," and "entry permits and gear," deleted "and" following "existing vessels and gear," and inserted

"for" preceding "the construction and purchase of vessels."

The 1978 amendment, effective July 1, 1978, in paragraph (1) of subsection (a), inserted "immediately preceding the date of application for a loan under §§ 300—370 of this chapter" and substituted "any one of the past five years, and who actively participated in the fishery during that period" for "three years" in subparagraph (A) and added subparagraph (C).

Sec. 16.10.320. Limitations on loans. (a) Except as provided in (b), (c), (d), and (e) of this section, commercial fishing loans granted under §§ 300—370 of this chapter

(1) may not exceed \$500,000;

- (2) may not exceed a term of 15 years;
- (3) may not bear interest exceeding seven per cent;
- (4) shall be secured by a first priority lien and appropriate security agreement; and
- (5) may not exceed 75 per cent of the appraised value of the collateral used to secure the loan.

(b) A lien in favor of the state is not required for loans guaranteed fully by the federal government under the Federal Ship Financing Act of 1972 (46 U.S.C. secs. 1271-1279(b); 86 Stat. 909), as amended. In the case of a security agreement given to secure a loan made under §§ 300—370 of this chapter and covering a vessel documented under the laws of the United States and so long as the Ship Mortgage Act of 1920 (46 U.S.C. secs. 911-984; 41 Stat. 1000), as amended, and the Shipping Act of 1916 (46 U.S.C. secs. 801-842; 39 Stat. 728), as amended, remain ambiguous with respect to whether or not a state or state agency qualifies as a citizen of the United States for purposes of those Acts, the first lien requirement of this section may be satisfied by the recordation and endorsement of a first preferred ship mortgage under the Ship Mortgage Act of 1920, and by perfection of a security interest under the Uniform Commercial Code — Secured Transactions (AS 45.05.690—45.05.794), if the approval of the Secretary of Commerce is obtained under 46 U.S.C. sec. 839 for the transfer to the department of the interest in a vessel documented under the laws of the United States. In the case of a security agreement given to secure a loan made under §§ 300—370 of this chapter and covering a vessel documented under the laws of the United States, the first lien requirement of this section may also be satisfied by use of a trust deed and bond issue under it, if the trustee is a citizen of the United States and obtains a first preferred ship mortgage on the vessel under the Ship Mortgage Act of 1920, and the approval of the Secretary of Commerce is obtained under 46 U.S.C. secs. 839 and 961 for the transfer of the bond or bonds of the department if the trustee is not a trustee approved by the Secretary of Commerce under 46 U.S.C. secs. 808, 835 and 961.

(c) A commercial fishing loan for the construction of a new fishing vessel or the purchase of an existing fishing vessel may be secured by a second priority lien or mortgage which is subordinate to a valid first priority lien or mortgage in favor of a private lending institution if the total financing does not exceed 75 per cent of the appraised value of the collateral used to secure the loan. A loan granted under this subsection

- (1) shall be to an obligor who has previously obtained a commitment for a commercial fishing loan from a private lending institution;
- (2) may not exceed \$1,000,000 or 35 per cent of the total purchase price of the fishing vessel, whichever amount is less;
- (3) may not exceed a term of 15 years;
- (4) may not bear interest exceeding seven per cent, except that loans granted under this subsection may bear interest at a rate not to exceed

eight per cent if the commissioner determines that an increase in the interest rate is necessary for the security of the loan.

(d) Except as provided in (e) of this section, no more than one commercial fishing loan may be made to a person for the purchase, construction, repair or upgrading of a fishing vessel or its gear. A loan to an associate of the borrower is considered to be a loan to the borrower. For the purposes of this section, "associate of the borrower" means

(1) a corporation or other organization of which the borrower is an officer, director or partner, or is, directly or indirectly, the beneficial owner of 10 per cent or more of any class of equity securities;

(2) a person who is, directly or indirectly, the beneficial owner of 10 per cent or more of any class of equity securities of the borrower;

(3) a trust or other estate in which the borrower has a substantial beneficial interest or as to which the borrower serves as trustee or in a similar fiduciary capacity;

(4) a relative or spouse of the borrower or a relative of the spouse, who has the same home as the borrower;

(5) a person directly or indirectly controlling, controlled by, or under common control with, the borrower.

(e) Two or more individual commercial fishermen who each satisfy the requirements specified in § 310(a)(1)(A) of this chapter may jointly obtain a commercial fishing loan for the construction of a fishing vessel or the purchase of an existing fishing vessel. Loans granted under this subsection

(1) may not exceed the amount specified in (a)(1) of this section multiplied by the number of qualified commercial fishermen applying for the loan;

(2) may not exceed a term of 15 years;

(3) shall be secured by a first priority lien and appropriate security agreement;

(4) may not bear interest exceeding seven per cent; and

(5) may not exceed 75 per cent of the appraised value of the collateral used to secure the loan. (§ 1 ch 134 SLA 1972; am § 3 ch 54 SLA 1973; am § 3 ch 128 SLA 1975; am § 1 ch 154 SLA 1977; am § 3 ch 83 SLA 1978)

Effect of amendments.

The 1978 amendment, effective July 1, 1978, rewrote this section.

Sec. 16.10.333. Loans for purchase of Alaska limited entry permits.

(a) Loans under § 320(a) of this chapter may be made to an individual commercial fisherman for the purchase of a limited entry permit upon certification by the commission that the fisherman is a person who qualifies as a transferee for the permit under ch. 43 of this title and the regulations adopted by the commission.

(b) Upon approval by the commissioner, the permit to be purchased may be pledged as security for a loan under (a) of this section, if

(1) the certificate for the pledged permit lists the commissioner as the legal owner of the permit;

(2) the certificate for the pledged permit lists the debtor as the equitable owner of the permit;

(3) all annual permit cards issued under the pledged permit list the name of the debtor;

(4) all obligations and responsibilities of a permit owner are assumed by the debtor;

(5) co-signers or other sureties for performance under the note are not vested with any rights in the pledged permit and their obligation is limited to satisfaction of the note and payment of costs directly incurred by the department in administering the loan.

(c) The commissioner is not liable for any act or omission resulting from permit ownership nor will that act or omission affect his title to the permit or his rights under it.

(d) Upon satisfaction of the note by the debtor, the commissioner shall certify to the commissioner that the note has been satisfied.

(e) Upon certification as provided in (d) of this section, the commission shall amend the permit certificate to list the debtor as the legal owner. (§ 4 ch 83 SLA 1978)

Effective date. — Section 8, ch. 83, SLA 1978, provides: "This Act takes effect July 1, 1978."

Sec. 16.10.335. Default and foreclosure. (a) If the debtor defaults upon a note for which a limited entry permit has been pledged as security under § 333 of this chapter, the commissioner shall provide the debtor, by registered or certified mail sent to his last known address on file with the commissioner, with a notice of default which includes

(1) a description of the security given for the note including the number assigned to the pledged permit by the commission;

(2) the date upon which the default occurred;

(3) the amount of arrearages as of the date of the notice, the total amount remaining on the note less unearned interest, and the amount of daily interest;

(4) a statement that the debtor may, within 15 days of the postmark date of the notice, request a hearing at which he may submit evidence showing he has not defaulted;

(5) a statement that the note may be reinstated if brought current within 60 days from the postmark date of the notice;

(6) a statement that the note may be paid in full less unearned interest within 30 days from the postmark date of the notice;

(7) the place where reinstatement or payment in full may be made; and

(8) a notice in at least 10-point bold type stating: "IMPORTANT: YOUR FAILURE TO REINSTATE OR PAY THIS NOTE IN FULL BY THE DATE SPECIFIED WILL RESULT IN A FORFEITURE OF ALL RIGHTS TO THE PERMIT AND THE POSSIBILITY OF LEGAL ACTION BEING INSTITUTED AGAINST YOU."

(b) Upon the debtor's failure to reinstate or satisfy the note within the time specified in (a) of this section, his equitable interest is terminated by operation of law without further notice. Any entry permit cards issued to him under the permit shall be cancelled immediately upon receipt by the commission of a certificate of termination containing a copy of the notice required by (a) of this section issued by the commissioner. (§ 4 ch 83 SLA 1978)

Effective date. — Section 8, ch. 83, SLA 1978, provides: "This Act takes effect July 1, 1978."

Sec. 16.10.337. Deficiencies and transfer of entry permits after foreclosure. (a) Upon a foreclosure on an entry permit as provided in § 335 of this chapter, the commissioner shall offer the commission a right of first refusal if the permit is subject to a buy-back program under AS 16.43.290 — 16.43.330 at a price equal to the amount outstanding on the note plus any costs the department directly incurred in administering the loan.

(b) If the commission does not exercise its right of first refusal within 30 days after it receives the offer, or if the permit is not subject to a buy-back program under AS 16.43.290 — 16.43.330, the department shall promptly notify the debtor of this fact. The debtor has 30 days from the postmark date of the notice to nominate a person qualified to assume the note. The person nominated must qualify under the requirements of § 333(a) of this chapter. If qualified, he may assume all rights and liabilities of the original debtor.

(c) If the debtor is unable to nominate a qualified person to assume the note under (b) of this section, the permit must be made available to a qualified person, chosen as provided in this section, who must assume the note subject to all rights and liabilities of the original debtor. The commission shall provide the commissioner with a list of persons chosen by lottery who qualify as transferees of entry permits under ch. 43 of this title and regulations adopted by the commission and who have met the residency and commercial fishing participation requirements of § 310(a) of this chapter. The commissioner then shall determine, in order of presentation, any remaining qualifications. The commissioner shall allow the first applicant meeting all qualifications to assume the note.

(d) Nothing in this section affects the right of the commissioner to institute legal action for a deficiency resulting from a default on a note given under § 323 of this chapter. In addition to any deficiency, the

debtor is liable for the costs of administering the note and for costs and attorney fees. (§ 4 ch 83 SLA 1978)

Effective date. — Section 8, ch. 83, SLA 1978, provides: "This Act takes effect July 1, 1978."

Sec. 16.10.339. Regulations. The commission, with the approval of the department, shall adopt regulations to implement §§ 333 — 337 of this chapter. (§ 4 ch 83 SLA 1978)

Effective date. — Section 8, ch. 83, SLA 1978, provides: "This Act takes effect July 1, 1978."

Sec. 16.10.342. Special account established. (a) There is established as a special account within the commercial fishing revolving loan fund the foreclosure expense account.

(b) The commissioner may credit the foreclosure expense account with money earned as a result of an increased interest rate on a commercial fishing loan granted under § 320(c) of this chapter.

(c) The commissioner may expend money credited to the foreclosure expense account when necessary to protect the state's security interest in collateral on loans granted under §§ 300 — 370 of this chapter or to defray expenses incurred during foreclosure proceedings after a default by an obligor. (§ 4 ch 83 SLA 1978)

Effective date. — Section 8, ch. 83, SLA 1978, provides: "This Act takes effect July 1, 1978."

Sec. 16.10.360. Definitions. In §§ 300 — 370 of this chapter

(1) "commissioner" means the commissioner of commerce;

(2) "department" means the Department of Commerce;

(3) "commission" means the Alaska Commercial Fisheries Entry Commission;

(4) "debtor" means an individual commercial fisherman who either initially contracts for a loan under §§ 333 — 337 of this chapter or assumes a loan as provided in those sections. (§ 1 ch 134 SLA 1972; am § 5 ch 83 SLA 1978)

Effect of amendment. — The 1978 amendment, effective July 1, 1978, added paragraphs (3) and (4).

fishery resource in intrastate, interstate, or foreign commerce. (§ 2 ch 102 SLA 1977)

Article 7. Commercial Fishing Loan Act.

Section	Section
300. Declaration of policy	340. Creation of fund
310. Powers of the department	350. Administration of fund
320. Limitations on loans	360. Definitions
330. Sale or transfer of mortgages, bonds and notes	370. Short title

Legislative committee report. — For am FCC), see 1971 House Journal, p. 399; report on ch. 134, SLA 1972 (SCS CSHB 102 1972 House Journal, p. 554.

Sec. 16.10.300. Declaration of policy. It is the policy of the state, under §§ 300 — 370 of this chapter, to promote the rehabilitation of the state's fisheries, the development of a predominantly resident fishery, and the continued maintenance of commercial fishing gear and vessels throughout the state by means of long-term low interest loans. (§ 1 ch 134 SLA 1972; am § 1 ch 54 SLA 1973; am § 1 ch 128 SLA 1975)

Effect of amendments. — The 1973 amendment inserted "of a predominantly resident fishery." also inserted "the" preceding "continued maintenance."

The 1975 amendment inserted "the rehabilitation of the state's fisheries" and

Sec. 16.10.310. Powers of the department. (a) The department may

(1) make loans to

(A) individual commercial fishermen who have been state residents for a continuous period of five years and have had a commercial fishing license for three years for the repair, restoration or upgrading of existing vessels and gear and for the purchase of entry permits and gear and the construction and purchase of vessels; and

(B) Repealed by § 2 ch 190 SLA 1976.

(2) designate agents and delegate its powers to them as necessary;

(3) adopt rules and regulations necessary to carry out its functions;

(4) establish amortization plans for repayment of loans, which may include extensions for poor fishing seasons;

(5) enter into agreements with private lending institutions, other state agencies or agencies of the federal government, to carry out the purposes of §§ 300 — 370 of this chapter.

(b) The department shall consult with the Department of Fish and Game on regulations and procedures established under this chapter. (§ 1

Effect of amendments. — The 1973 amendment substituted "fishing" for "gear" preceding "license" in paragraph (1) and added "and for the purchase of entry permits and gear and the construction and purchase of vessels" to the end of that paragraph of subsection (a).

The 1975 amendment designated the provisions of paragraph (1) of subsection (a) as present subparagraph (A) of that paragraph, and added subparagraph (B).

The 1976 amendment in subsection (a), repealed paragraph (1)(B), which read "permit holders under §§ 400 — 470 of this chapter, for the construction of hatchery facilities."

Editor's note. — Section 13, ch. 105, SLA 1977, effective January 1, 1978 amended paragraph (1)(A) of subsection (a) to read as follows: "(A) individual commercial fishermen who have been state residents for a continuous period of five years and have been state residents for a continuous period of five years and have had a crewmember or commercial fishing license under AS 16.05.480 or a permit under ch. 43 of this title for three years, for the repair, restoration or upgrading of existing vessels and gear, for the purchase of entry permits and gear, and for the construction and purchase of vessels; and"

Sec. 16.10.320. Limitations on loans. A commercial fishing loan may not exceed \$150,000. A loan may not run longer than 15 years or bear interest exceeding seven per cent, and it shall be secured by a first lien and appropriate security agreements, except that a lien in favor of the state is not required for loans guaranteed fully by the federal government under the Federal Ship Financing Act of 1972 (46 U.S.C. secs. 1271 — 1279b; 86 Stat. 909), as amended. In the case of a security agreement given to secure a loan made under secs. 300 — 370 of this chapter and covering a vessel documented under the laws of the United States and so long as the Ship Mortgage Act of 1920 (46 U.S.C. secs. 911 — 984; 41 Stat. 1000), as amended, and the Shipping Act of 1916 (46 U.S.C. secs. 861 — 842; 39 Stat. 728), as amended, remain ambiguous with respect to whether or not a state or state agency qualifies as a citizen of the United States for purposes of those Acts, the first lien requirement of this section may be satisfied by the recordation and endorsement of a first preferred ship mortgage under the Ship Mortgage Act of 1920, and by perfection of a security interest under the Uniform Commercial Code — Secured Transactions (AS 45.05.690 — 45.05.794), if the approval of the Secretary of Commerce is obtained under 46 U.S.C. sec. 839 for the transfer to the department of the interest in a vessel documented under the laws of the United States. In the case of a security agreement given to secure a loan made under secs. 300 — 370 of this chapter and covering a vessel documented under the laws of the United States, the first lien requirement of this section may also be satisfied by use of a trust deed and bond issue under it, if the trustee is a citizen of the United States and obtains a first preferred ship mortgage on the vessel under the Ship Mortgage Act of 1920, and the approval of the Secretary of Commerce is obtained under 46 U.S.C. secs. 839 and 961 for the transfer of the bond or bonds to the department if the trustee is not a trustee approved by the Secretary of Commerce

ch 134 SLA 1972; am § 3 ch 54 SLA 1973; am § 3 ch 128 SLA 1975; am § 1 ch 154 SLA 1977)

Effect of amendments. — The 1973 amendment added the language beginning "except that" to the end of the second sentence and added the present third and fourth sentences.

The 1975 amendment added the language beginning "and loans granted under § 310(a)(1)(B)" to the end of the second sentence and "Except for loans granted under § 310(a)(1)(B) of this chapter" to the beginning of the fifth sentence.

The 1977 amendment substituted "\$150,000" for "\$100,000" in the first sentence, deleted language relating to collateral for loans granted under § 310(a)(1)(B) of this chapter from the end of the second sentence, and deleted "Except for loans granted under § 310(a)(1)(B) of this chapter" from the beginning of the last sentence.

Sec. 16.10.330. Sale or transfer of mortgages, bonds and notes. (a) The commissioner of commerce may sell or transfer at par value or at a premium or discount to any bank or other private purchaser for cash or other consideration the mortgages, bonds and notes held by the Department of Commerce as security for loans made under this chapter.

(b) The commissioner of commerce and economic development may sell or transfer at par value to the Department of Revenue the mortgages, bonds and notes held by the Department of Commerce and Economic Development as security for loans made under this chapter. However, the commissioner of commerce and economic development may not transfer an interest in a vessel documented under the laws of the United States to the Department of Revenue, except as permitted by the Ship Mortgage Act of 1920 (46 U.S.C. secs. 911 -- 984; 41 Stat. 1090), as amended, and the Shipping Act of 1916 (46 U.S.C. secs. 801 -- 842; 39 Stat. 728), as amended, so long as those two Acts remain ambiguous with respect to whether or not a state or state agency qualifies as a citizen of the United States for purposes of those two Acts. The Department of Revenue, for the fiscal year ending June 30, 1976, shall purchase all the mortgages, bonds and notes offered until the current principal amount of all the mortgages, bonds and notes purchased and held by the Department of Revenue equals \$7,000,000. The Department of Revenue, for the fiscal year ending June 30, 1977, shall purchase all the mortgages, bonds and notes offered until the current principal amount of all the mortgages, bonds and notes purchased and held by the Department of Revenue equals \$9,000,000. After June 30, 1977, the Department of Revenue shall purchase all the mortgages, bonds and notes offered. (§ 1 ch 134 SLA 1972; am § 4 ch 54 SLA 1973; am § 1 ch 177 SLA 1976)

Effect of amendments. The 1973 amendment inserted "bonds" in subsection (a) and in the first sentence of subsection (b), added the present second and third

sentences of that subsection, and deleted the former second sentence of that subsection.

The 1976 amendment inserted "for the fiscal year ending June 30, 1976" in the third sentence of subsection (b), substituted "\$7,000,000" for "\$5,000,000" at the end of that sentence, and added the fourth and fifth sentences of that subsection.

Sec. 16.10.340. Creation of fund. There is a commercial fishing revolving loan fund to carry out the purpose of §§ 300 — 370 of this chapter. (§ 1 ch 134 SLA 1972; am § 2 ch 177 SLA 1976)

Effect of amendment. — The 1976 amendment deleted "which shall not exceed \$1,000,000" following "revolving loan fund."

Sec. 16.10.350. Administration of fund. The commissioner shall administer the loan fund. (§ 1 ch 134 SLA 1972)

Sec. 16.10.360. Definitions. In §§ 300 — 370 of this chapter
 (1) "commissioner" means the commissioner of commerce;
 (2) "department" means the Department of Commerce. (§ 1 ch 134 SLA 1972)

Sec. 16.10.370. Short title. Sections 300 — 370 of this chapter may be cited as the Commercial Fishing Loan Act. (§ 1 ch 134 SLA 1972)

Article 8. Salmon Hatcheries.

Section	Section
375. Regional salmon plan	443. Department assistance and cooperation
380. Regional associations	445. Egg sources
400. Permits for salmon hatcheries	450. Sale of salmon and salmon eggs by hatchery
410. Hearings before permit issuance	460. Inspection of hatchery
420. Conditions of a permit	470. Annual report
430. Alteration, suspension or revocation of permit	475. Definitions
440. Regulation	

Editor's note. — Section 1, ch 111 SLA 1974, provides: "It is the intent of this Act to authorize the private ownership of salmon hatcheries by qualified nonprofit corporations for the purpose of contributing, by artificial means, to the rehabilitation of the state's depleted and depressed salmon fishery. The program shall be operated without adversely affecting natural stocks of fish in the state and under a policy of management which allows reasonable segregation of returning hatchery-reared salmon from naturally occurring stocks."

Sec. 16.10.375. Regional salmon plan. The commissioner shall designate regions of the state for the purpose of salmon production and have developed and amend as necessary a comprehensive salmon plan for each region, including provisions for both public and private nonprofit hatchery systems. Subject to plan approval by the commissioner, comprehensive salmon plans shall be developed by regional planning teams consisting of department personnel and representatives of the appropriate qualified regional associations