



LAWS OF ALASKA

1992

Source
CSSB 457(RES)

Chapter No.
49

AN ACT

Relating to management of wild and enhanced stocks of fish; and amending the definition of "fishery."

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

THE ACT FOLLOWS ON PAGE 1

Approved by the Governor: June 10, 1992
Actual Effective Date: September 8, 1992

AN ACT

1 Relating to management of wild and enhanced stocks of fish; and amending the definition of "fishery."

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

5 ARTICLE 5. MANAGEMENT OF FISH AND FISHERIES.

6 Sec. 16.05.730. MANAGEMENT OF WILD AND ENHANCED STOCKS OF FISH.

7 (a) Fish stocks in the state shall be managed consistent with sustained yield of wild fish stocks
8 and may be managed consistent with sustained yield of enhanced fish stocks.

9 (b) In allocating enhanced fish stocks, the board shall consider the need of fish
10 enhancement projects to obtain brood stock. The board may direct the department to manage
11 fisheries in the state to achieve an adequate return of fish from enhanced stocks to enhancement
12 projects for brood stock; however, management to achieve an adequate return of fish to
13 enhancement projects for brood stock shall be consistent with sustained yield of wild fish stocks.

14 (c) The board may consider the need of enhancement projects authorized under

Chapter 49

1 AS 16.10.400 and contractors who operate state-owned enhancement projects under AS 16.10.480
2 to harvest and sell fish produced by the enhancement project that are not needed for brood stock
3 to obtain funds for the purposes allowed under AS 16.10.450 or 16.10.480(d). The board may
4 exercise its authority under this title as it considers necessary to direct the department to provide
5 a reasonable harvest of fish, in addition to the fish needed for brood stock, to an enhancement
6 project to obtain funds for the enhancement project if the harvest is consistent with sustained
7 yield of wild fish stocks. The board may adopt a fishery management plan to provide fish to an
8 enhancement project to obtain funds for the purposes allowed under AS 16.10.450 or
9 16.10.480(d).

10 (d) In this section, "enhancement project" means a project, facility, or hatchery for the
11 enhancement of fishery resources of the state for which the department has issued a permit.

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 AS 16.05.940(12) is repealed and reenacted to read:

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

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

19 (B) "type of gear" means an identifiable classification of gear and may
20 include

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

24 (ii) distinct subclassifications of gear such as "power" troll gear
25 and "hand" troll gear;