

CS FOR HOUSE BILL NO. 137(RES)

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-NINTH LEGISLATURE - FIRST SESSION

BY THE HOUSE RESOURCES COMMITTEE

Offered: 3/27/15

Referred: Finance

Sponsor(s): REPRESENTATIVE TALERICO

A BILL

FOR AN ACT ENTITLED

1 "An Act raising certain fees related to sport fishing, hunting, and trapping; relating to
2 fish and game conservation decals; raising the age of eligibility for a sport fishing,
3 hunting, or trapping license exemption for state residents; raising the age at which a
4 state resident is required to obtain a license for sport fishing, hunting, or trapping; and
5 providing for an effective date."

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

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

8 (a) The Board of Fisheries may adopt regulations it considers advisable in
9 accordance with AS 44.62 (Administrative Procedure Act) for

10 (1) setting apart fish reserve areas, refuges, and sanctuaries in the
11 waters of the state over which it has jurisdiction, subject to the approval of the
12 legislature;

13 (2) establishing open and closed seasons and areas for the taking of

1 fish; if consistent with resource conservation and development goals, the board may
2 adopt regulations establishing restricted seasons and areas necessary for

3 (A) persons 62 [60] years of age and older to participate in
4 sport, personal use, or subsistence fishing; or

5 (B) residents under 18 years of age and nonresidents
6 [PERSONS] under 16 years of age to participate in sport fishing;

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

9 (4) establishing the means and methods employed in the pursuit,
10 capture, and transport of fish;

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

13 (6) classifying as commercial fish, sport fish, guided sport fish,
14 personal use fish, subsistence fish, or predators or other categories essential for
15 regulatory purposes;

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

18 (8) investigating and determining the extent and effect of disease,
19 predation, and competition among fish in the state, exercising control measures
20 considered necessary to the resources of the state;

21 (9) prohibiting and regulating the live capture, possession, transport, or
22 release of native or exotic fish or their eggs;

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

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

29 (12) regulating commercial, sport, guided sport, subsistence, and
30 personal use fishing as needed for the conservation, development, and utilization of
31 fisheries;

1 (13) requiring, in a fishery, observers on board fishing vessels, as
2 defined in AS 16.05.475(d), that are registered under the laws of the state, as defined
3 in AS 16.05.475(c), after making a written determination that an **onboard** [ON-
4 BOARD] observer program

5 (A) is the only practical data-gathering or enforcement
6 mechanism for that fishery;

7 (B) will not unduly disrupt the fishery;

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

9 (D) can be coordinated with observer programs of other
10 agencies, including the National Marine Fisheries Service, North Pacific
11 Fishery Management Council, and the International Pacific Halibut
12 Commission;

13 (14) establishing nonexclusive, exclusive, and superexclusive
14 registration and use areas for regulating commercial fishing;

15 (15) regulating resident or nonresident sport fishermen as needed for
16 the conservation, development, and utilization of fishery resources;

17 (16) requiring unlicensed fishing vessels present in or transiting the
18 waters of the state to report to the department the quantity, species, and origin of fish
19 on board; in this paragraph, "unlicensed fishing vessel" means a fishing vessel that is
20 not licensed under AS 16.05.490 - 16.05.530;

21 (17) promoting fishing and preserving the heritage of fishing in the
22 state.

23 * **Sec. 2.** AS 16.05.340(a)(1) is amended to read:

24 (1) Resident sport fishing license **\$20** [\$15]

25 However, the fee is **50** [25] cents for a resident who is blind.

26 * **Sec. 3.** AS 16.05.340(a)(2) is amended to read:

27 (2) Resident hunting license **30** [25]

28 * **Sec. 4.** AS 16.05.340(a)(3) is amended to read:

29 (3) Resident hunting and trapping license **45** [39]

30 * **Sec. 5.** AS 16.05.340(a)(4) is amended to read:

31 (4) Resident trapping license **20** [15]

1 * **Sec. 6.** AS 16.05.340(a)(5) is amended to read:

2 (5) Resident hunting and sport fishing license **45** [39]

3 * **Sec. 7.** AS 16.05.340(a)(6) is amended to read:

4 (6) Resident hunting, trapping, and sport fishing license **60** [53];

5 (A) however, the fee is \$5 for an applicant who

6 (i) IS RECEIVING OR HAS RECEIVED
7 ASSISTANCE DURING THE PRECEDING SIX MONTHS UNDER
8 ANY STATE OR FEDERAL WELFARE PROGRAM TO AID THE
9 INDIGENT; OR

10 (ii) has an annual family gross income of less than
11 **\$29,820** [\$8,200] for the year preceding application;

12 (B) a person paying \$5 for a resident hunting, trapping, and
13 sport fishing license must provide proof of eligibility under this paragraph
14 when requested by the department.

15 * **Sec. 8.** AS 16.05.340(a)(7) is amended to read:

16 (7) Nonresident sport fishing license - valid for the period inscribed on
17 the license

18 (A) For 14-day license **60** [50]

19 (B) For seven-day license **40** [30]

20 (C) For three-day license **30** [20]

21 (D) For one-day license **15** [10]

22 * **Sec. 9.** AS 16.05.340(a)(8) is amended to read:

23 (8) Nonresident annual sport fishing license **130** [100]

24 * **Sec. 10.** AS 16.05.340(a)(9) is amended to read:

25 (9) Nonresident hunting license **125** [85]

26 * **Sec. 11.** AS 16.05.340(a)(11) is amended to read:

27 (11) Nonresident hunting and trapping license **325** [250]

28 * **Sec. 12.** AS 16.05.340(a)(15) is amended to read:

29 (15) Nonresident big game tags

30 A nonresident may not take a big game animal without previously purchasing a
31 numbered, nontransferable, appropriate tag, issued under this paragraph. The tag must

1 be affixed to the animal immediately upon capture and must remain affixed until the
 2 animal is prepared for storage, consumed, or exported. A tag issued but not used for an
 3 animal may be used to satisfy the tagging requirement for an animal of any other
 4 species for which the tag fee is of equal or less value.

- 5 (A) Bear, black, each **335** [225]
 6 (B) Bear, brown or grizzly, each **750** [500]
 7 (C) Bison, each **675** [450]
 8 (D) Caribou, each **485** [325]
 9 (E) Deer, each **225** [150]
 10 (F) Elk, each **450** [300]
 11 (G) Goat, each **450** [300]
 12 (H) Moose, each **600** [400]
 13 (I) Sheep, each **635** [425]
 14 (J) Wolf, each **45** [30]

15 A nonresident is not required to have a nonresident wolf tag to take a wolf in a
 16 game management unit if the Board of Game has adopted an intensive
 17 management program under **AS 16.05.255(e)** [AS 16.05.255] for all or a
 18 portion of the game management unit.

- 19 (K) Wolverine, each **260** [175]
 20 (L) Musk oxen, each **1,650** [1,100]

21 * **Sec. 13.** AS 16.05.340(a)(17) is amended to read:

22 (17) Waterfowl conservation tag **10** [5]

23 (A) A person may not engage in waterfowl hunting without
 24 having the current year's waterfowl tag in the person's actual possession, unless
 25 that person

- 26 (i) qualifies for a \$5 license fee under (6) of this
 27 subsection;
 28 (ii) is a resident under the age of **18** [16];
 29 (iii) is **62** [60] years of age or older and is a resident;
 30 (iv) is a disabled veteran eligible for a free license under
 31 AS 16.05.341.

(B) The Board of Game shall by regulation exempt the requirement of a waterfowl conservation tag for waterfowl hunting in areas of the state not likely to benefit from programs described in AS 16.05.130(b)(2) - (4).

* **Sec. 14.** AS 16.05.340(a)(19) is amended to read:

(19) Nonresident small game hunting license **30** [20]

* **Sec. 15.** AS 16.05.340(a)(20) is amended to read:

(20) Nonresident alien hunting license **450** [300]

A nonresident alien may not take a big game animal without previously purchasing a numbered, nontransferable, appropriate tag, issued under (21) of this subsection. The tag must be affixed to the animal immediately upon capture and must remain affixed until the animal is prepared for storage, consumed, or exported. A tag issued but not used for an animal may be used to satisfy the tagging requirement for an animal of any other species for which the tag fee is of equal or less value.

* **Sec. 16.** AS 16.05.340(a)(21) is amended to read:

(21) Nonresident alien big game tags

(A) Bear, black, each **400** [300]

(B) Bear, brown or grizzly, each **900** [650]

(C) Bison, each **900** [650]

(D) Caribou, each **600** [425]

(E) Deer, each **250** [200]

(F) Elk, each **500** [400]

(G) Goat, each **500** [400]

(H) Moose, each **600** [500]

(I) Musk oxen, each **2,000** [1,500]

(J) Sheep, each **650** [550]

(K) Wolf, each **75** [50]

A nonresident alien is not required to have a nonresident alien wolf tag to take a wolf in a game management unit if the Board of Game has adopted an intensive management program under **AS 16.05.255(e)** [AS 16.05.255] for all or a portion of the game management unit.

1 (L) Wolverine, each 350 [250]

2 * **Sec. 17.** AS 16.05.340(a)(23) is amended to read:

3 (23) Resident anadromous king salmon tag 15 [10]

4 A resident may not engage in sport fishing for anadromous king salmon without
5 having the current year's anadromous king salmon tag in the resident's actual
6 possession, unless that person

7 (A) qualifies for a 50 [25] cent license fee under (1) of this
8 subsection;

9 (B) is under the age of 18 [16];

10 (C) is 62 [60] years of age or older and has been a resident of
11 the state for at least one year;

12 (D) is a disabled veteran eligible for a free license under
13 AS 16.05.341; or

14 (E) qualifies for a \$5 license fee under (6) of this subsection.

15 * **Sec. 18.** AS 16.05.340(a)(24) is amended to read:

16 (24) Nonresident anadromous king salmon tag - valid for the period
17 inscribed on the tag

18 (A) for a one-day tag 15 [10]

19 (B) for a three-day tag 30 [20]

20 (C) for a seven-day tag 45 [30]

21 (D) for a 14-day tag 75 [50]

22 (E) for an annual tag 150 [100]

23 A nonresident may not engage in sport fishing for anadromous king salmon without
24 having a valid anadromous king salmon tag in the person's actual possession, unless
25 that person is under the age of 16. Members of the military service on active duty who
26 are permanently stationed in the state, and their dependents, who do not qualify as
27 residents under AS 16.05.415, may obtain an annual nonresident military anadromous
28 king salmon tag for \$30 [\$20].

29 * **Sec. 19.** AS 16.05 is amended by adding a new section to read:

30 **Sec. 16.05.352. Fish and game conservation decal.** The department shall
31 annually produce and make available to the public fish and game conservation decals.

1 The department shall, by appropriate means, provide for the selection of designs for
2 fish and game conservation decals and for the production and sale of the decals. The
3 department may produce and sell different decals in quantities that the commissioner
4 considers appropriate. Upon payment of a \$20 fee, a person may purchase a fish and
5 game conservation decal from the department.

6 * **Sec. 20.** AS 16.05.400(a) is amended to read:

7 (a) A license is not required of a resident under the age of 18 years or a
8 nonresident [PERSON] under the age of 16 years for sport fishing nor is a license
9 required of a resident under the age of 18 years [16] for hunting or trapping.

10 * **Sec. 21.** AS 16.05.400(b) is amended to read:

11 (b) A sport fishing, hunting, or trapping license is not required of a resident
12 who is 62 [60] years of age or more. The commissioner shall issue a permanent
13 identification card without charge to persons who qualify by age and residence and
14 who complete the forms required by the commissioner for implementation of this
15 subsection. A person who is issued a permanent identification card under this
16 subsection shall have it in possession while sport fishing, hunting, or trapping.

17 * **Sec. 22.** The uncodified law of the State of Alaska is amended by adding a new section to
18 read:

19 APPLICABILITY. Notwithstanding the change made to AS 16.05.340(a)(17)(A)(iii)
20 by sec. 13 of this Act, the change made to AS 16.05.340(a)(23)(C) by sec. 17 of this Act, and
21 the change made to AS 16.05.400(b) by sec. 21 of this Act, a resident who was eligible for a
22 sport fishing, hunting, or trapping license exemption under AS 16.05.400(b), as that
23 subsection read before the effective date of this Act, shall continue to be eligible for the
24 exemption under AS 16.05.400(b), as that subsection read before the effective date of this
25 Act.

26 * **Sec. 23.** This Act takes effect January 1, 2016.