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SNSAC

CHAPTER 39. GENERAL PROVISIONS.

ARTICLE 1. GENERAL.

5 AAC 39.001. APPLICATION OF THIS CHAPTER. Unless otherwise specified in this section or 5 AAC 01 - 5 AAC 77, requirements in this chapter apply to commercial fishing only, except that 5 AAC 39.999 applies to all of 5 AAC 01 - 5 AAC 77. Subsistence fishing regulations affecting commercial fishing vessels or affecting any other commercial fishing activity are set out in the subsistence fishing regulations in 5 AAC 01 and 5 AAC 02.

5 AAC 39.002. LIABILITY FOR VIOLATIONS. Unless otherwise provided in 5 AAC 01 - 5 AAC 41 or in AS 16, a person who violates a provision of 5 AAC 01 - 5 AAC 41 is strictly liable for the offense, regardless of his intent.

5 AAC 39.010. RETENTION OF FISH TAKEN IN A COMMERCIAL FISHERY. (a) A person engaged in commercial fishing may retain finfish from lawfully taken commercial catch for that person's own use, including for the use as bait in a commercial fishery. Finfish retained under this section may not be sold or bartered.

(b) Except as otherwise specified in 5 AAC 01 - 5 AAC 39, a commercial fisherman shall report on an ADF&G fish ticket, at the time of delivery of the commercial catch, the number of steelhead retained from the commercial catch but not sold. For the purposes of this subsection, "delivery" means the offloading of the finfish for sale or for transport to a buyer for later sale.

5 AAC 39.105. TYPES OF LEGAL GEAR. (a) All gear shall be operated in a manner conforming to its basic design.

(b) The size of meshes of a gillnet shall be substantially consistent.

(c) All references to mesh size in the regulations are considered to be stretched measure.

(d) Unless otherwise provided in this title, the following are legal types of gear:

(1) a gillnet is a net primarily designed to catch fish by entanglement in the mesh and consisting of a single sheet of webbing hung between cork line and lead line, and fished from the surface of the water;

(2) a set gillnet is a gillnet that has been intentionally set, staked, anchored, or otherwise fixed;

(3) a drift gillnet is a drifting gillnet that has not been intentionally staked, anchored, or otherwise fixed;

(4) a purse seine is a floating net designed to surround fish and which can be closed at the bottom by means of a free-running line through one or more rings attached to the lead line;

(5) a hand purse seine is a floating net designed to surround fish and which can be closed at the bottom by pursing the lead line; pursing may only be done by hand power, and a free-running line through one or more rings attached to the lead line is not allowed;

(6) a beach seine is a floating net designed to surround fish which is set from and hauled to the beach;

(7) power gurdy troll gear consists of a line or lines with lures or baited hooks which are deployed, drawn through the water, and retrieved by means of a power troll gurdy,