

ALASKA STATE LEGISLATURE

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Official Business

Sectional Analysis **SCS CSHB 41(FIN)** 31-LS0218\O

- Section 1** The Board of Fish may direct the department to manage enhanced shellfish stocks for cost recovery projects.
- Section 2** Hatchery permit application fee change.
- Section 3** Conforms with Sec. 2. Hatchery permit application fee will be set by regulation equal to regulatory costs. Fee level will be annually reviewed.
- Section 4** Adds a new Chapter to Title 16
- AS 16.12.010 Commissioner of ADF&G may issue permits for nonprofit corporation for a shellfish enhancement project. Section includes permitting process, rules, and fees.
 - AS 16.12.020 Prior to permit approval, there will be public notification, a public hearing, and comment period.
 - AS 16.12.030 Requirements on permit holders.
 - AS 16.12.040 Permit revocation, suspension, or alteration.
 - AS 16.12.050 Enhanced shellfish stocks are common property. Board of Fish may regulate.
 - AS 16.12.060 ADF&G shall advise and assist applicants and permit holders to a reasonable and appropriate extent.
 - AS 16.12.070 ADF&G shall approve source and number of shellfish taken for brood stock.
 - AS 16.12.080 Limits proceeds from sale of shellfish to operating costs, shellfish enhancement projects, and shellfish research
 - AS 16.12.090 Cost recovery fisheries via contract or common property fishery.

- AS 16.12.100 ADF&G can inspect project facility at any time.
- AS 16.12.110 Annual Report
- AS 16.12.199 Definitions

Section 5 CFEC may issue special harvest area entry permits to AS 16.12 permit holders.

Section 6 Fishing gear used in a special harvest area must be authorized by the Board of Fish.

Section 7 Allows aquatic farm products to be marketed by ASMI.

Section 8 Conforms to Section 7.

Section 9 Conforms to Section 7.

Section 10 Adds aquatic farm products to ASMI's definitions.

Section 11 Exempts shellfish raised under a AS 16.12 permit from the farmed fish food labeling requirement.

Section 12 Adds hatchery permit fees & AS 16.12 permit fees to list of Program Receipts.

Section 13 DNR Annual report to the legislature on aquatic farming lease status and lease applications under AS 38.05.083.

Section 14 Adds AS 38.05.083 leases to eligible list of leases that the Director of the Division of Mining, Land, & Water may renew.

Section 15 Conforms to Section 14.

Section 16 Conforms to Section 14.

Section 17 Allows Commissioner of DNR to renew or extend AS 38.05.083 leases. Establishes a 1-year time limit to grant or deny a lease application. Ecotourism and educational uses are not prohibited. Prohibits DNR from charging additional use fees other than the permit fee.

Section 18 Nonprofit Income Tax exemption for AS 16.12 permit holders.

- Section 19** Nonprofit Income Tax exemption for AS 16.12 permit holders. Duplicated to conform with the AS 43.20.012(a) sunset and reenactment (SB 83 2013).
- Section 20** Seafood Development Tax exemption for shellfish harvested under a CFEC special harvest area permit.
- Section 21** DNR and ADF&G report and recommendations for permitting process improvements.
- Section 22** Applicability of Section 2.
- Section 23** ADF&G authority to adopt regulations.
- Section 24** Immediate effective date for Section 23.
- Section 25** Effective date of 1-year time limit, Section 17.
- Section 26** Delayed effective date for Section 19.