

Sectional Analysis

HB 281

Moratorium on Charter Vessels in SE Alaska

Section 1. The uncodified law of Alaska is amended by adding a new section:

Moratorium on Vessels Used in Charter Service for the Recreational Taking of Fish and Shellfish.

Paragraph 1 - Charter Vessel Tabs Issued

(a) After December 31, 2003 a person may not use a vessel in charter service for recreational fishing in SE Alaska east of Cape Suckling unless the vessel has been issued:

- a current vessel license under [AS 16.05.490](#), and
- a current SE Alaska saltwater charter vessel tab under (b) of this section.

(b) For 2004 and subsequent years, the Alaska Commercial Fisheries Entry Commission shall issue an annual SE Alaska saltwater charter vessel tab for a vessel to be used in charter service if the vessel was:

- (1) issued a vessel license under [AS 16.05.490](#) for 2002, or before the effective date of this Act was issued a vessel license for 2003; and
- (2) used in charter service for the recreational taking of fish and shellfish in SE Alaska in 2002 or 2003, as documented by ADF&G saltwater charter vessel logbooks.

(c) The SE Alaska saltwater charter vessel tab must be affixed to the number plate attached to the vessel under AS 16.05.520.

Paragraph 2 - Transferability

(d) A person who owns a vessel for which a tab has been issued may request CFEC to transfer the tab to another vessel if the other vessel is a temporary or permanent replacement of the original vessel issued a tab under (b) of this section.

The transferred tab may be renewed annually and may be transferred again to another vessel. The replaced vessel is not eligible for a new tab unless it is subsequently used to replace another tabbed vessel.

(e) If the vessel for which the tab is issued is sold, the owner may request for CFEC to transfer the tab to the new owner of the vessel.

(f) The transfer of a tab under (d) or (e) of this subsection may not have the effect of increasing the total number of tabs issued for chartered vessels.

Paragraph 3 - Value

(g) A tab issued under this section may not be sold or otherwise transferred for value. A transfer for value doesn't include the enhanced value of a vessel that is attributable to the vessel ownership transfer that accompanied the transfer of the tab.

Paragraph 4 - Other Circumstances for CFEC Issuance

(h) CFEC may also issue a tab under (b) of this section if:

- (1) a substantial continuing effort toward the construction of the vessel for use in charter service was begun on or before the effective date of the Act but the vessel wasn't completed until after the effective date; and application for the tab has been made to CFEC by December 31, 2003.
- (2) Substantial and nonrefundable payment toward the purchase of the vessel for use in charter service was made on or before the effective date of the Act but the transfer of ownership did not occur until after the effective date, and the application for the tab has been made to CFEC by December 31, 2003.

Paragraph 5 - CFEC Regulations

(i) CFEC may adopt regulations to carry out the functions of this section.

(j) A person who violates this subsection is guilty of a class A misdemeanor.