

HOUSE BILL NO. 43

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-SIXTH LEGISLATURE - FIRST SESSION

BY REPRESENTATIVE SEATON

Introduced: 1/20/09

Referred: House Special Committee on Fisheries, Resources

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to aquatic farm permitting involving geoducks and to geoduck seed**
2 **transfers between certified hatcheries and aquatic farms."**

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

4 *** Section 1.** AS 16.40.100 is amended by adding a new subsection to read:

5 (g) The commissioner may not use the absence of wild geoduck stock within a
6 management area described in AS 16.40.145 as the reason for denial of an aquatic
7 farm permit under this section. If, under this section, the commissioner issues a permit
8 for an aquatic farm to culture geoducks in a management area that does not have wild
9 geoduck stocks when the permit is issued, the permit may not allow operations for that
10 purpose in the intertidal habitat or environment.

11 *** Sec. 2.** AS 16.40 is amended by adding a new section to read:

12 **Sec. 16.40.145. Geoduck seed transfer between a certified hatchery and an**
13 **aquatic farm.** Consistent with AS 16.40.140(b) - (d), a hatchery certified under
14 AS 16.40.100 may transfer geoduck seed to an aquatic farm located in a fisheries

1 management area established under this title that is contiguous to the Gulf of Alaska.