

**CS FOR HOUSE BILL NO. 177(RES)**

**IN THE LEGISLATURE OF THE STATE OF ALASKA**

**THIRTIETH LEGISLATURE - FIRST SESSION**

**BY THE HOUSE RESOURCES COMMITTEE**

**Offered: 4/15/17**

**Referred: Finance**

**Sponsor(s): REPRESENTATIVES TARR, Kawasaki**

**A BILL**

**FOR AN ACT ENTITLED**

**"An Act relating to the response to, and control of, aquatic invasive species; establishing the aquatic invasive species response fund; and relating to the provision of information about aquatic invasive species to certain persons registering or transporting boats."**

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

**\* Section 1.** AS 05.25.055 is amended by adding a new subsection to read:

(j) To the extent possible, the Department of Administration shall ensure that a person who registers a boat under this section is provided with any information relating to aquatic invasive species that has been published in pamphlet form by the Department of Natural Resources or the Department of Fish and Game.

**\* Sec. 2.** AS 16.05 is amended by adding a new section to read:

**Sec. 16.05.093. Response to, and control of, aquatic invasive species.** (a) Consistent with applicable state and federal law, the department may use chemical, biological, mechanical, or physical methods, singly or in combination, to control the occurrence of or eradicate an aquatic invasive species.

1 (b) In responding under (a) of this section to the occurrence of an aquatic  
2 invasive species, the department may apply for suspension of, or emergency,  
3 quarantine, public health, crisis, or other exemptions to, applicable environmental laws  
4 and regulations.

5 (c) Response to, and management of, an aquatic invasive species under (a) of  
6 this section shall be given priority over activities regulated by the department in the  
7 area where an incipient population of an aquatic invasive species is being targeted.  
8 The commissioner or an authorized designee may summarily open or close a season or  
9 area under AS 16.05.060 to aid in responding to the occurrence of an aquatic invasive  
10 species under this section.

11 (d) Each state department, agency, or other entity shall cooperate with the  
12 department response to the occurrence of an aquatic invasive species when the  
13 department has jurisdiction, and the department shall cooperate with another state  
14 department, agency, or entity responding to the occurrence of an aquatic invasive  
15 species when the department, agency, or other entity has jurisdiction.

16 (e) The Department of Natural Resources and the department shall include in  
17 all relevant leases and permits a provision that the state and the officers and employees  
18 of the state shall be held harmless for an act under (a) of this section that affects  
19 private property of the lessee or permittee.

20 (f) In responding under (a) of this section to the occurrence of freshwater  
21 aquatic invasive species, the department shall respond in a manner determined to  
22 cause the least harm to noninvasive fish populations that are used for recreational,  
23 personal use, commercial, or subsistence purposes.

24 (g) In responding under (a) of this section to the occurrence of an incipient  
25 population of an aquatic invasive species, the department shall provide reasonable  
26 notice to affected property owners and shall consider the potential effects of its  
27 response measures on private property while selecting the most effective methods to  
28 eradicate or control the aquatic invasive species.

29 (h) The aquatic invasive species response fund is established in the general  
30 fund. The fund consists of appropriations made to the fund. The purpose of the fund is  
31 to pay for responses to aquatic invasive species carried out under (a) of this section.

1 Money appropriated to the fund may be spent for responses made to control the  
2 occurrence of or to eradicate an aquatic invasive species under (a) of this section  
3 without further appropriation. Money appropriated to the fund does not lapse.

4 (i) In this section, "aquatic invasive species" means northern pike, didemnum  
5 tunicate, European green crab, spartina, crayfish, or another organism introduced to a  
6 marine or freshwater ecosystem to which it is not native and whose introduction  
7 causes, or is likely to cause, economic or environmental harm or harm to human  
8 health.

9 \* **Sec. 3.** AS 19.65 is amended by adding a new section to read:

10 **Sec. 19.65.033. Provision of information relating to aquatic invasive**  
11 **species.** To the extent possible, the commissioner of transportation and public  
12 facilities shall ensure that a person who purchases a ticket for vehicle deck space on a  
13 ferry for the purpose of transporting a vessel into the state is provided with any  
14 information relating to aquatic invasive species that has been published in pamphlet  
15 form by the Department of Natural Resources or the Department of Fish and Game.