

IN THE SUPREME COURT FOR THE STATE OF ALASKA
ORDER NO. 1327

Revision of Administrative Rule 43.2,
Fish and Game Bail Forfeiture
Schedule.

IT IS ORDERED:

1. Administrative Rule 43.2 is revised as follows:

Administrative Rule 43.2. Fish and Game Bail Forfeiture Schedule.

Pursuant to AS 16.05.165(b), the following fish and game offenses are appropriate for disposition without court appearance upon payment and forfeiture of the bail amounts listed and forfeiture of all seized items listed on the citation. If a person charged with one of these offenses appears in court and is found guilty, the fine [penalty] imposed for the offense may not exceed the bail amount for that offense listed below. In addition, fish, game, or equipment may be forfeited under AS 16.05.190 or AS 16.05.195. An offense for which a bail forfeiture amount has been established shall be charged on a citation which meets the requirements of District Court Criminal Rule 8(c) and shall not be filed, numbered or processed as a criminal case.

<u>Statute or Regulation</u>	<u>Description of Offense</u>	<u>Bail</u>
AS 16.05.330(a)	Sport fishing without license in possession	\$100
AS 16.05.330(a)	Hunting without license in possession	125
AS 16.05.340(a)(17)(A)	Taking waterfowl without state duck stamp	75
AS 16.05.340(a)(23)&(24)	King Salmon Tag Required	50
AS 16.05.420	False statement on license application	200
AS 16.05.480(a)	Crewmember fishing license required	150
AS 16.05.490(a)	Vessel license required	200
AS 16.05.520(a)	Vessel number plate	100
AS 16.05.680(1)	Employ unlicensed crew	200
5 AAC 01.010(h)	Identification of subsistence finfish fishing gear	100

5 AAC 01.010(i)	Escape mechanism requirements for subsistence fishing gear	100
5 AAC 01.240(c)	Marking of subsistence taken king salmon (lower Yukon River)	100
<u>5 AAC 02.010(e)(1-2)</u>	<u>Identification of subsistence shellfish gear</u>	<u>100</u>
<u>5 AAC 02.010(f)</u>	<u>Escape mechanism requirements for subsistence shellfish pots</u>	<u>100</u>
5 AAC 05.334(a)	ID requirements for commercial salmon drift gillnets (Yukon River)	200
5 AAC 05.334(b)	ID requirements for commercial salmon stationary gear (Yukon River)	200
5 AAC 07.334(a)	ID requirements for commercial salmon drift gillnets (Kuskokwim River)	200
5 AAC 07.334(b)	ID requirements for commercial salmon stationary gear (Kuskokwim River)	200
<u>5 AAC 28.135(a)(1-4)</u>	<u>Vessel identification – D and M</u>	<u>200</u>
<u>5 AAC 30.334</u>	<u>Identification of set gillnet – Yakutat</u>	<u>200</u>
<u>5 AAC 39.119(a)(1-4)</u>	<u>Vessel identification – 12 inch numbers</u>	<u>200</u>
<u>5 AAC 39.119(b)</u>	<u>Vessel identification – HT</u>	<u>200</u>
<u>5 AAC 47.022(1-196)</u>	<u>Sport fishing - taking overlimit of fish, taking undersize/oversize fish, illegal use of bait, fishing in closed season or area</u>	<u>100 plus 100 per king salmon illegally taken and 20 per other fish illegally taken</u>
5 AAC 47.022(84)	Single hook required/snagging prohibited (Thomas Basin-Ketchikan)	100

<u>5 AAC 47.024(a)(3)</u>	<u>Failure to record king salmon landing (Southeast Alaska)</u>	<u>100</u>
<u>5 AAC 47.024(c)(3)</u>	<u>Failure to record steelhead landing (Southeast Alaska)</u>	<u>100</u>
5 AAC 52.024(b)	Failure to record king salmon landing (Upper Copper River and Upper Susitna River area)	100
5 AAC 56.010(b)	Taking red salmon in closed season (Russian River)	100 plus 20 per fish
5 AAC 56.010(c)(1-6)	Taking king salmon 16" or more in closed season (Kenai Peninsula)	150 per fish
5 AAC 56.010(d-f)	Taking rainbow trout in closed season (Russian River/Kenai River area)	100 plus 20 per fish
5 AAC 56.015(a)	Rainbow/steelhead trout harvest record required (freshwaters of the Kenai Peninsula)	100
5 AAC 56.015(b)	Failure to record rainbow/steelhead trout landing (freshwaters of the Kenai Peninsula)	100
5 AAC 56.017(a)	King salmon harvest record required (freshwaters of the Kenai Peninsula)	100
5 AAC 56.017(b)	Failure to record king salmon landing (freshwaters of the Kenai Peninsula)	100
5 AAC 56.020(c)	Fishing from a boat where prohibited after taking a king salmon (Kenai River)	100
5 AAC 56.035(c)(1-2), (j), (l), (m)	Using other than unbaited, single-hook, artificial lures in specified waters (Kenai Peninsula)	100
5 AAC 56.035(f)	Fishing from a boat where prohibited (Kenai River)	100

5 AAC 56.035(g)	Fishing from a boat on Monday where prohibited (Kenai River)	100
5 AAC 58.017(a)	King salmon harvest record required (Cook Inlet-Resurrection Bay saltwater area)	100
5 AAC 58.017(b)	Failure to record king salmon landing (Cook Inlet-Resurrection Bay saltwater area)	100
5 AAC 58.020(c)(1)	Over limit of razor clams (Southern terminus of Kenai River to the southernmost tip of the Homer Spit)	50 plus 2 per clam
5 AAC 58.035(b)	Snagging or attempting to snag where prohibited (Cook Inlet north of a line extending west from Anchor Point)	125
5 AAC 58.035(e)	Snagging or attempting to snag where prohibited (saltwater of the Homer Spit, fishery enhancement lagoon)	125
5 AAC 61.010(f)(1-5)	Taking king salmon 16" or more in closed season	150 per fish
5 AAC 61.010(h)	Sport fishing during closed hours (Susitna-West Cook Inlet area)	100 plus 150 per king salmon and 20 per other salmon species
5 AAC 61.015(a)	Rainbow/steelhead trout harvest record required (Susitna-West Cook Inlet area)	100
5 AAC 61.015(b)	Failure to record rainbow/steelhead trout landing (Susitna-West Cook Inlet area)	100
5 AAC 61.017(a)	King salmon harvest record required (Susitna-West Cook Inlet area)	100
5 AAC 61.017(b)	Failure to record king salmon landing (Susitna-West Cook Inlet area)	100

5 AAC 61.035(c)	Using other than unbaited, single-hook, artificial lures in specified waters	100
5 AAC 61.035(d-e)	Using other than unbaited, artificial lures in specified waters	100
5 AAC 61.035(i)	Use of bait were prohibited (Susitna-West Cook Inlet area)	100
5 AAC 75.020	Sport fishing with more than one line	100
5 AAC 75.021	More than 2 lines, hooks, or lures while ice fishing	50
5 AAC 75.022(a)(1)	Using fixed or weighted hook – freshwater	100
5 AAC 75.022(a)(2)	Multiple hook with gap larger than ½”- freshwater	50
5 AAC 75.022(a)(4)	Unauthorized use of spear – sport fishing	100
5 AAC 75.022(a)(5)	Unauthorized use of arrow – sport fishing	100
5 AAC 75.022(c)	Attempt to snag – freshwater	125
5 AAC 75.022(c)	Fail to release – freshwater	125
5 AAC 75.023(a)&(b)	Illegal gear in single-hook waters	50
5 AAC 75.035(1)	ID requirements for shellfish sport fishing gear	100
5 AAC 75.035(2)	Escape mechanism requirements for shellfish sport fishing gear	100
5 AAC 75.050(a)&(b)	Sport fishing in closed waters	100 plus 20 per fish
<u>5 AAC 75.075(a)</u>	<u>Failure to register as sport fish charter</u>	<u>200</u>
5 AAC 77.010(a)	Sport fish license required for personal use fishing	100

5 AAC 77.010(d)	ID requirements for personal use fishing gear	100
5 AAC 77.010(f)	Marking of personal use fish	75
<u>5 AAC 77.010(m)</u>	<u>Escape mechanism requirements for personal use fishing</u>	<u>100</u>
5 AAC 77.518(2)(A)	Over limit of razor clams (From the terminus of the Kenai River to southernmost tip of Homer Spit)	50 plus 2 per clam
<u>5 AAC 77.612(2)</u>	<u>Personal use – taking overlimit or female dungeness crab (Yakutat)</u>	<u>100 plus 20 per crab illegally taken</u>
<u>5 AAC 77.612(3)</u>	<u>Personal use – taking undersize dungeness crab (Yakutat)</u>	<u>100 plus 20 per crab</u>
<u>5 AAC 77.614(2)</u>	<u>Personal use – taking overlimit or female king crab (Yakutat)</u>	<u>100 plus 50 per crab illegally taken</u>
<u>5 AAC 77.616(2)</u>	<u>Personal use – taking overlimit or female tanner crab (Yakutat)</u>	<u>100 plus 20 per crab illegally taken</u>
<u>5 AAC 77.662(2)</u>	<u>Personal use – taking overlimit or female dungeness crab (Southeast)</u>	<u>100 plus 20 per crab illegally taken</u>
<u>5 AAC 77.662(3)</u>	<u>Personal use – taking undersize dungeness crab (Southeast)</u>	<u>100 plus 20 per crab</u>
<u>5 AAC 77.664(a)(1)</u>	<u>Personal use – taking overlimit of king crab (Southeast)</u>	<u>100 plus 50 per crab illegally taken</u>
<u>5 AAC 77.664(a)(2)(A)</u>	<u>Personal use – taking king crab in closed season (Southeast)</u>	<u>100 plus 50 per crab</u>
<u>5 AAC 77.664(a)(2)(B)</u>	<u>Personal use – taking undersize or female king crab (Southeast)</u>	<u>100 plus 50 per crab</u>

<u>5 AAC 77.664(b)(1)</u>	<u>Personal use – taking king crab in closed season (Juneau area)</u>	<u>100 plus 50 per crab</u>
<u>5 AAC 77.664(b)(2)</u>	<u>Personal use – taking overlimit king crab (Juneau area)</u>	<u>100 plus 50 per crab illegally taken</u>
<u>5 AAC 77.664(b)(3)</u>	<u>Personal use – undersize or female king crab (Juneau area)</u>	<u>100 plus 50 per crab illegally taken</u>
<u>5 AAC 77.664(b)(4)</u>	<u>Personal use – overlimit of pots for king crab (Juneau area)</u>	<u>100 plus 50 per pot over limit</u>
<u>5 AAC 77.664(c)(1)</u>	<u>Personal use – king crab closed season (Juneau area 11A)</u>	<u>100 plus 50 per crab</u>
<u>5 AAC 77.664(c)(2)</u>	<u>Personal use – taking overlimit king crab (Juneau area 11A)</u>	<u>100 plus 50 per crab illegally taken</u>
<u>5 AAC 77.664(c)(3)</u>	<u>Personal use – taking undersize or female king crab (Juneau area 11A)</u>	<u>100 plus 50 per crab illegally taken</u>
<u>5 AAC 77.664(c)(4)</u>	<u>Personal use – overlimit of pots for king crab (Juneau area 11A)</u>	<u>100 plus 50 per pot over limit</u>
<u>5 AAC 77.664(c)(5)</u>	<u>Personal use – failure to obtain permit for king crab (Juneau area 11A)</u>	<u>100</u>
<u>5 AAC 77.666(2)</u>	<u>Personal use – taking overlimit or female tanner crab (Southeast)</u>	<u>100 plus 20 per crab illegally taken</u>
<u>5 AAC 77.670(2)</u>	<u>Personal use – taking overlimit abalone (Southeast)</u>	<u>100 plus 10 per abalone illegally taken</u>
<u>5 AAC 77.670(3)</u>	<u>Personal use – taking undersize abalone (Southeast)</u>	<u>100 plus 10 per abalone</u>

<u>5 AAC 85.020(a)(1&3)</u>	<u>Failure to obtain registration permit – brown bear (Units 1 and 4)</u>	<u>150</u>
5 AAC 92.010	Harvest ticket not in possession; failure to validate	100
5 AAC 92.012(a)	Taking waterfowl without federal duck stamp	75
5 AAC 92.012(a)	Unsigned federal duck stamp	25
5 AAC 92.018	Unsigned state duck stamp	25
5 AAC 92.050(a)(7)	Failure to cancel permit after killing big game	75
5 AAC 92.050(a)(8)	Failure to submit permit hunt report	75
5 AAC 92.062(d)	False information on application for Tier II permit	200
5 AAC 92.080(1)	Unlawfully taking game by shooting from, on or across highway	300
5 AAC 92.100(a)(1-6)	Taking migratory birds by illegal methods	100
5 AAC 92.100(b)	Transportation of migratory bird without fully feathered wing or head attached	50
5 AAC 92.100(c)	Taking migratory birds before or after legal shooting hours	50 plus \$2/minute
5 AAC 92.150(a)	Possess mountain sheep without both horns	100
5 AAC 92.150(b)	No evidence of sex attached	100
<u>5 AAC 92.150(d)</u>	<u>No evidence of sex – bear</u>	<u>100</u>
5 AAC 92.165	Failure to seal bear or possess unsealed bear skin or skull	100
5 AAC 92.170	Failure to seal wolf, wolverine, lynx	100
<u>5 AAC 92.170(b)(1)</u>	<u>Failure to seal within 30 days – wolf</u>	<u>100</u>

5 AAC 92.170(b)(4)	<u>Failure to leave leg bone attached – wolf</u>	<u>100</u>
5 AAC 92.200(d)	Failure to submit required report	75
5 AAC 92.230	Feeding game	50
5 AAC 92.410(b)	Failure to submit required report (This does not include failure to salvage.)	75
5 AAC 93.060 (except (f))	Failure to pay fee (Little Susitna Public Use Facility) (This does not include commercial violations under subparagraph (f).)	50
5 AAC 95.515(4)(A)	Refuse and waste (Little Susitna Public Use Facility)	100
5 AAC 95.515(4)(D)	Pets (Little Susitna Public Use Facility)	50
5 AAC 95.515(4)(E)	Assembly (Little Susitna Public Use Facility)	50
5 AAC 95.515(4)(F)	Fires (Little Susitna Public Use Facility)	50
5 AAC 95.515(4)(H)	Limit on number of persons/vehicles (Little Susitna Public Use Facility)	50
5 AAC 95.515(4)(I)	Camping in designated areas (Little Susitna Public Use Facility)	50
5 AAC 95.515(4)(J)	Unattended campsite/vehicle (Little Susitna Public Use Facility)	50
5 AAC 95.515(4)(K)	Camping over 15 days or authorized limit (Little Susitna Public Use Facility)	50
5 AAC 95.515(4)(L)	Unauthorized concessions (Little Susitna Public Use Facility)	100
5 AAC 95.515(4)(M)	Traffic violations (Little Susitna Public Use Facility)	50

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5 AAC 95.515(4)(N) Violation of campground rules (Little Susitna Public Use Facility) 50

DATED: June 25, 1998

EFFECTIVE DATE: July 1, 1998

/s/
Chief Justice Matthews

Justice Compton

/s/
Justice Eastaugh

/s/
Justice Fabe

/s/
Justice Bryner