

**IN THE SUPREME COURT OF THE STATE OF ALASKA
ORDER NO. 1577**

Amending Administrative
Rule 43.2, Fish and
Game Bail Forfeiture
Schedule to Make
Technical Corrections

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 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)(1)	Sport fishing without license in possession	\$200
AS 16.05.330(a)(2)	Hunting without license in possession	250
AS 16.05.340(a)(17)(A)	Taking waterfowl without state duck stamp	75
AS 16.05.340(a)(23)	King salmon stamp required for residents	100
AS 16.05.340(a)(24)	King salmon stamp required for non-residents	200
AS 16.05.420	False statement on license application	300
AS 16.05.480(a)	Crewmember fishing license required	250
AS 16.05.490(a)	Vessel license required	200
AS 16.05.520(a)	Vessel number plate	100

<u>Statute or Regulation</u>	<u>Description of Offense</u>	<u>Bail</u>
AS 16.05.680(1)	Employ unlicensed crew member	250
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 01.015(b)(5)	Failure to record daily catch on subsistence or personal use permit (finfish Statewide)	100
5 AAC 01.240(c)	Marking of subsistence taken king salmon (lower Yukon River)	100
5 AAC 01.630(e)(8)	Failure to record salmon on subsistence permit (Glennallen Subdistrict)	100
5 AAC 01.640	Failure to mark subsistence taken salmon (Copper River Districts)	100
5 AAC 02.010(e)(1-2)	Identification of subsistence shellfish gear	100
5 AAC 02.010(f)	Escape mechanism requirements for subsistence shellfish pots	100
5 AAC 02.015(a)(5)	Failure to record daily catch on subsistence or personal use permit (shellfish Statewide)	100
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
5 AAC 07.340	Vessel Identification (Kuskokwim River)	200
5 AAC 28.135(a)(1-4)	Vessel Identification – D and M	200
5 AAC 29.125	Vessel Identification – HT	200
5 AAC 30.334	Identification of set gillnet – Yakutat	200

<u>Statute or Regulation</u>	<u>Description of Offense</u>	<u>Bail</u>
5 AAC 39.119(a)(1-4)	Vessel Identification – 12 inch numbers	200
5 AAC 47.020(1-17)	Sport fishing – general seasons, bag, possession, annual and size limits (salt water, Southeast Alaska)	100 plus 150 per king salmon illegally taken, 50 per halibut or lingcod, 20 per other fish, 20 per crab, and 2 per razor clam
5 AAC 47.021(a-j)	Sport fishing – special provisions, seasons, bag, possession, and size limits (salt water, Southeast Alaska)	100 plus 150 per king salmon illegally taken, 50 per halibut or lingcod, 20 per other fish, 20 per crab, and 2 per razor clam
5 AAC 47.022(a-c)	Sport fishing – general seasons, bag, possession, annual and size limits (freshwater, Southeast Alaska)	100 plus 150 per king salmon illegally taken, 20 per other fish
5 AAC 47.023(a-k)	Sport fishing – special provisions, seasons, bag, possession, and size limits (freshwater, Southeast Alaska)	100 plus 150 per king salmon illegally taken, 20 per other fish
5 AAC 47.024(a)(3)	Failure to record king salmon landing (Southeast Alaska)	100
5 AAC 47.024(c)(3)	Failure to record steelhead landing (Southeast Alaska)	100
5 AAC 47.030(g)	Maximum number of fishing lines from a charter vessel (Southeast Alaska)	300
5 AAC 52.022(a)	Sport fishing – general seasons, bag, possession, annual and size limits (Upper Copper River and Upper Susitna River)	100 plus 150 per king salmon illegally taken, 20 per other fish
5 AAC 52.023(1-28)	Sport fishing – special provisions, seasons, bag, possession, and size limits (Upper Copper River and Upper Susitna River)	100 plus 150 per king salmon illegally taken, 20 per other fish

<u>Statute or Regulation</u>	<u>Description of Offense</u>	<u>Bail</u>
5 AAC 52.024(b)	Failure to record king salmon landing (Upper Copper River and Upper Susitna River area)	100
5 AAC 55.022(a-b)	Sport fishing – general seasons, bag, possession, and size limits (Prince William Sound)	100 plus 150 per king salmon illegally taken, 50 per halibut or lingcod, and 20 per other fish
5 AAC 55.023(1-8)	Sport fishing – special provisions, seasons, bag, possession, and size limits (Prince William Sound)	100 plus 150 per king salmon illegally taken, 50 per halibut or lingcod, and 20 per other fish
5 AAC 56.022(a-b)	Sport fishing – waters, seasons, bag, possession, size limits, and special provisions (Kenai Peninsula, excluding Kenai River drainage)	100 plus 150 per king salmon illegally taken and 20 per other fish
5 AAC 56.023(a-e)	Sport fishing – waters, seasons, bag, possession, size limits, and special provisions (Kenai River Drainage)	100 plus 150 per king salmon illegally taken and 20 per other fish
5 AAC 56.024(a)(2)	Failure to record king salmon landing (freshwaters of the Kenai Peninsula)	100
5 AAC 56.024(b)(2)	Failure to record rainbow/steelhead trout landing (freshwaters of the Kenai Peninsula)	100
5 AAC 56.065(c-d)	Sport fishing – Riparian habitat bank closures	75
5 AAC 58.022(a-b)	Sport fishing – waters, seasons, bag, possession, size limits, and special provisions (Cook Inlet – Resurrection Bay saltwater)	100 plus 150 per king salmon illegally taken, 50 per halibut or lingcod, 20 per other fish, 20 per crab, and 2 per razor clam

<u>Statute or Regulation</u>	<u>Description of Offense</u>	<u>Bail</u>
5 AAC 58.024(a)(2)	Failure to record king salmon landing (Cook Inlet – Resurrection Bay saltwater area)	100
5 AAC 58.026(a-b)	Failure to record crab or hardshell clams on harvest record (Cook Inlet – Resurrection Bay saltwater)	100
5 AAC 58.030(c)	Snagging or attempting to snag where prohibited (Cook Inlet north of a line extending west from Anchor Point)	125
5 AAC 58.030(d)	Snagging or attempting to snag where prohibited (saltwater of the Homer Spit, fishery enhancement lagoon)	125
5 AAC 58.035(b-g)	Shellfish methods and means (Resurrection Bay Cook Inlet saltwater)	100
5 AAC 61.022(a-m)	Sport fishing – waters, seasons, bag, possession, size limits, and special provisions (West Cook Inlet – Susitna – Knik Arm – Anchorage Bowl)	100 plus 150 per king salmon illegally taken and 20 per other fish
5 AAC 61.024(a)(2)	Failure to record king salmon landing (Susitna – West Cook Inlet area)	100
5 AAC 61.024(b)(2)	Failure to record rainbow/steelhead trout landing (Susitna- West Cook Inlet area)	100
5 AAC 61.030(c) & (d)	Taking king salmon 16” or more in closed season	150 per fish
5 AAC 64.022(a-c)	Sport fishing – waters, seasons, bag, possession, size limits, and special provisions (Kodiak)	100 plus 150 per king salmon illegally taken, 50 per halibut or lingcod, 20 per other fish, and 20 per crab
5 AAC 64.025(a)(2)	Failure to record king salmon landing (Kodiak)	100

<u>Statute or Regulation</u>	<u>Description of Offense</u>	<u>Bail</u>
5 AAC 67.020(a)	Sport fishing – bag, possession, and size limits (Bristol Bay)	100 plus 150 per king salmon illegally taken, 50 per halibut or lingcod, 20 per other fish, and 20 per crab
5 AAC 67.022(a – j)	Sport fishing – special provisions for seasons, bag, possession, size limits, and methods and means (Bristol Bay)	100 plus 150 per king salmon illegally taken
5 AAC 67.024(b)(2)	Failure to record king salmon landing (Bristol Bay area)	100
5 AAC 70.008	Sport fishing – seasons, bag, possession, and size limits (North Slope area)	100 plus 150 per king salmon illegally taken and 20 per other fish
5 AAC 70.011	Sport fishing – seasons, bag, possession, and size limits (Northwestern area)	100 plus 150 per king salmon illegally taken and 20 per other fish
5 AAC 70.013	Sport fishing – seasons, bag, possession, and size limits (Yukon River area)	100 plus 150 per king salmon illegally taken and 20 per other fish
5 AAC 70.015	Sport fishing – seasons, bag, possession, and size limits (Tanana River area)	100 plus 150 per king salmon illegally taken and 20 per other fish
5 AAC 70.017	Sport fishing – seasons, bag, possession, and size limits (Kuskokwim-Goodnews area)	100 plus 150 per king salmon illegally taken and 20 per other fish
5 AAC 70.024(2)(B)	Failure to record king salmon landing (Aniak River)	100
5 AAC 75.012(b)(4)	Fail to record shark landing	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

<u>Statute or Regulation</u>	<u>Description of Offense</u>	<u>Bail</u>
5 AAC 75.022(a)(2)	Multiple hook with gap larger than ½" – freshwater	100
5 AAC 75.022(a)(4-5)	Unauthorized use of spear or arrow – sport fishing in fresh water	100
5 AAC 75.022(c)	Attempt to snag or fail to release snagged fish – freshwater	100 plus 150 per king salmon illegally taken and 20 per other fish
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 150 per king salmon illegally taken and 20 per other fish
5 AAC 75.070(b)	Filleting or disfiguring halibut to prevent determination of number of fish caught or possessed	200
5 AAC 75.075(c)	Failure to have required licenses and documents in possession (sport fish guiding Statewide)	200
5 AAC 75.076(c)	Failure to complete log book as required (sport fish guiding Statewide)	200
5 AAC 77.010(a)	Sport fish license required for personal use fishing	200
5 AAC 77.010(d)	ID requirements for personal use fishing gear	100
5 AAC 77.010(f)	Marking of personal use fish	75
5 AAC 77.010(m)	Escape mechanism requirements for personal use fishing	100
5 AAC 77.015(c)	Personal use permits and report requirements	200
5 AAC 77.508(a)	Personal use permit required to harvest shellfish with pots, fail to record immediately (Cook Inlet)	100
5 AAC 77.509(a-d)	Illegal gear for shellfish (Cook Inlet)	100

<u>Statute or Regulation</u>	<u>Description of Offense</u>	<u>Bail</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)	100 plus 2 per clam
5 AAC 77.518(3)	Hardshell clam permit required (Cook Inlet – Southern District)	100
5 AAC 77.540(a)(2)	Failure to record salmon on personal use permit (Upper Cook Inlet)	100
5 AAC 77.591(d)	Failure to record salmon on personal use permit (Chitina Subdistrict dipnet)	100
5 AAC 77.612(2-3)	Personal use – taking overlimit, female, or undersize Dungeness crab (Yakutat)	100 plus 20 per crab illegally taken
5 AAC 77.614(2)	Personal use – taking overlimit or female king crab (Yakutat)	100 plus 50 per crab illegally taken
5 AAC 77.616(2)	Personal use – taking overlimit or female Tanner crab (Yakutat)	100 plus 20 per crab illegally taken
5 AAC 77.662(2-3)	Personal use – taking overlimit, female or undersize Dungeness crab (Southeast)	100 plus 20 per crab illegally taken
5 AAC 77.664(a-c)	Personal use – king crab provisions (Southeast)	100 plus 50 per crab illegally taken or 50 per pot over limit
5 AAC 77.666(2)	Personal use – taking overlimit or female Tanner crab (Southeast)	100 plus 20 per crab illegally taken
5 AAC 77.670(2-3)	Personal use – taking overlimit or undersize abalone (Southeast)	100 plus 10 per abalone illegally taken
5 AAC 85.020(a)(1&3)	Failure to obtain registration permit – brown bear (Units 1 and 4)	150
5 AAC 92.010	Harvest ticket not in possession; failure to validate	150
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	150

<u>Statute or Regulation</u>	<u>Description of Offense</u>	<u>Bail</u>
5 AAC 92.050(a)(8)	Failure to submit permit hunt report	100
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 – big game	150
5 AAC 92.150(d)	No evidence of sex attached – bear	150
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
5 AAC 92.170(b)(1)	Failure to seal within 30 days – wolf	100
5 AAC 92.170(b)(4)	Failure to leave leg bone attached – wolf (Units 1-5)	100
5 AAC 92.2000(d)	Failure to submit required report	75
5 AAC 92.230	Feeding game	100
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

<u>Statute or Regulation</u>	<u>Description of Offense</u>	<u>Bail</u>
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
5 AAC 95.515(4)(N)	Violation of campground rules (Little Susitna Public Use Facility)	50

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DATED: May 25, 2005

EFFECTIVE DATE: June 1, 2005

Chief Justice Bryner

Justice Matthews

Justice Eastaugh

Justice Fabe

Justice Carpeneti