

**NOTICE OF PROPOSED CHANGES TO ALLOW FOR ELECTRONIC REPORTING
IN SUBSISTENCE, SPORT, AND PERSONAL USE FISHING AND BIG GAME,
WATERFOWL AND ANIMALS HUNTED THAT REQUIRE HARVEST TICKETS
REGULATIONS OF THE ALASKA DEPARTMENT OF FISH & GAME**

The Alaska Department of Fish and Game is proposing to allow electronic reporting in specified fishing and hunting activities through the eLicense application.

The commissioner of the Department of Fish and Game, under a delegation of authority issued by the Alaska Board of Fisheries and the Alaska Board of Game under AS 16.05.270, proposes to adopt regulation changes in Title 5 of the Alaska Administrative Code (AAC) to allow electronic reporting in specified fishing and hunting activities through the eLicense application, including the following:

5 AAC 01.011(i); 5 AAC 01.380(c); 5 AAC 01.430(c); 5 AAC 01.180(c); 5 AAC 01.560(c); 5 AAC 01.593(6); 5 AAC 01.630(e)(8); 5 AAC 02.011(i); 5 AAC 02.206; 5 AAC 02.325(a)(2); 5 AAC 58.026(a); and 5 AAC 75.006(a); 5 AAC 75.011(i); 5 AAC 75.012(3)(A); 5 AAC 75.012(4); 5 AAC 77.016(i); 5 AAC 77.507; 5 AAC 77.540(a)(2); 5 AAC 77.591(d); 5 AAC 92.010(b); 5 AAC 92.018(2) and 5 AAC 92.050(a)(7) are proposed to be changed to remove language requiring forms provided by the department to be signed in ink or otherwise recording information in writing on the documents to allow for electronic reporting capabilities.

You may comment on the proposed regulation changes, including the potential costs to private persons of complying with the proposed changes, by submitting written comments to Shellene L. Hutter, Regulations Program Coordinator, Department of Fish and Game, P.O. Box 115526, Juneau, AK 99811-5526. Additionally, the Department of Fish and Game will accept comments by facsimile at (907) 465-2604 and by electronic mail at shellene.hutter@alaska.gov. The comments must be received no later than 5:00 p.m. on July 22, 2019.

You may submit written questions relevant to the proposed action to Shellene L. Hutter, Regulations Program Coordinator, Department of Fish and Game, P.O. Box 115526, Juneau, AK 99811-5526. Additionally, the Department of Fish and Game will accept questions by facsimile at (907) 465-2604 and by electronic mail at shellene.hutter@alaska.gov. The questions must be received at least 10 days before the end of the public comment period. The Department of Fish and Game will aggregate its response to substantially similar questions and make the questions and responses available on the Alaska Online Public Notice System.

If you are a person with a disability who needs a special accommodation in order to participate in this process, please contact Shellene L. Hutter at (907) 465-6124 no later than July 18, 2019 to ensure that any necessary accommodations can be provided.

A copy of this notice of proposed regulation changes and the regulations proposed to be changed are available on the Alaska Online Public Notice System. For a copy of the proposed regulation changes contact Shellene L. Hutter, Regulations Program Coordinator at the mailing address, telephone number, or email address above or online on the department's website at: <http://www.adfg.alaska.gov/index.cfm?adfg=regulations.main>

After the public comment period ends, the commissioner of the Department of Fish and Game will either adopt the proposed regulation changes or other provisions dealing with the same subject, without further notice, or decide to take no action. The language of the final regulations may be different from that of the proposed regulations. **You should comment during the time allowed if your interests could be affected.** Written comments received are public records and are subject to public inspection.

Statutory Authority: AS 16.05.251; AS 16.05.270

Statutes Being Implemented, Interpreted, or Made Specific: Sec. 1ch. 81, SLA 1992; AS 16.05.251; 16.05.258; 16.05.370; 16.05.403; 16.05.405; 16.05.060; 16.10.190; 16.05.340; 16.05.255; 16.05.330; 16.05.343 and 16.05.407

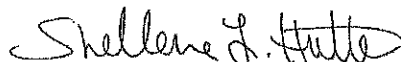
Fiscal Information: The proposed regulation changes are not expected to require an increased appropriation.

The Department of Fish and Game keeps a list of individuals and organizations interested in its regulations. Those on the list will automatically be sent a copy of all of the department's notices of proposed regulation changes. To be added to or removed from the list, send a request to the Department of Fish and Game Boards Support Section at P O Box 115526 Juneau, AK 99811, by phone at (907) 465-4110, or via our website at:

<http://www.adfg.alaska.gov/index.cfm?adfg=fisheriesboard.main>

giving your name, and either your e-mail address or mailing address, as you prefer for receiving notices.

DATE: 6/20/2019



Shellene L. Hutter
Regulations Program Coordinator
Department of Fish and Game

ADDITIONAL REGULATIONS NOTICE INFORMATION
(AS 44.62.190(d))

1. Adopting agency: Alaska Department of Fish & Game
2. General subject of regulation: Electronic reporting in specified fishing and hunting activities through the eLicense application.
3. Citation of regulations: 5 AAC 01.011(i); 5 AAC 01.380(c); 5 AAC 01.430(c); 5 AAC 01.180(c); 5 AAC 01.560(c); 5 AAC 01.593(6); 5 AAC 01.630(e)(8); 5 AAC 02.011(i); 5 AAC 02.206; 5 AAC 02.325(a)(2); 5 AAC 58.026(a); and 5 AAC 75.006(a); 5 AAC 75.011(i); 5 AAC 75.012(3)(A); 5 AAC 75.012(4); 5 AAC 77.016(i); 5 AAC 77.507; 5 AAC 77.540(a)(2); 5 AAC 77.591(d); 5 AAC 92.010(b); 5 AAC 92.018(2) and 5 AAC 92.050(a)(7)
4. Department of Law file number, if any: 2019200383
5. Reason for the proposed action: Development of program standards
6. Appropriation/Allocation: Fish and Game Funds
7. Estimated annual cost to comply with the proposed action to:

A private person: \$0
 Another state agency: \$0
 A municipality: \$0

8. Cost of implementation to the state agency and available funding (in thousands of dollars):

	Initial Year FY 2019	Subsequent Years
Operating Cost	\$0	\$0
Capital Cost	\$0	\$0
1002 Federal receipts	\$0	\$0
1003 General fund match	\$0	\$0
1004 General fund	\$0	\$0
1005 General fund/ program	\$0	\$0
Other:	\$15,000	\$15,000
(funds designated from License Modernization Project)		

9. The name of the contact person for the regulations:

Name: Shellene L. Hutter

Title: Regulations Program Coordinator

Address: P.O. Box 115526

Juneau, AK 99811-5526

Telephone: (907) 465-6124

E-mail address: shellene.hutter@alaska.gov

10. The origin of the proposed action: Staff of state agency



11. Date: 6/20/2019

Prepared by: _____

Name: Shellene L. Hutter

Title: Regulations Program Coordinator

Telephone: (907) 465-6124

**DRAFT REGULATORY LANGUAGE MAY BE SUBJECT TO
CHANGE**

Title 5. Fish and Game.

Chapter 01. Subsistence Finfish Fishery.

Article 1. Statewide Provisions.

5 AAC 01.011(i) is amended to read:

(i) Before concealing the finfish from plain view or transporting the finfish from the fishing site, a proxy must record [, IN INK,] on the proxy fishing information form, or a subsistence permit if allowed under (c) of this section, the date, location (body of water fished), species, approximate weight, and number of the finfish taken by the proxy on behalf of a beneficiary.

(Eff. 7/3/94, Register 130; am 6/15/95, Register 134; am 5/26/2006, Register 178; am 8/8/2007, Register 183; am ___/___/2019, Register _____)

Authority: Sec. 1, ch. 81, SLA 1992 AS 16.05.251 AS 16.05.258
AS 16.05.370 AS 16.05.403 AS 16.05.405

Article 7. Aleutian Islands Area.

5 AAC 01.380(c) is amended to read:

(c) A record of subsistence-caught fish must be kept on [THE REVERSE SIDE OF] the permit. The record must be completed immediately upon taking subsistence-caught fish and must be returned to the local representative of the department no later than October 31. (In effect before 1988; am 5/28/92, Register 122; readopt 5/15/93, Register 126; am 5/31/98, Register 146; am 7/22/2017, Register 223; am ___/___/2019, Register _____)

Authority: AS 16.05.251 AS 16.05.258

**DRAFT REGULATORY LANGUAGE MAY BE SUBJECT TO
CHANGE**

Article 8. Alaska Peninsula Area.

5 AAC 01.430(c) is amended to read:

(c) A record of subsistence-caught fish must be kept on [THE REVERSE SIDE OF] the permit. The record must be completed immediately upon taking subsistence-caught fish and must be returned to the local representative of the department no later than October 31. (In effect before 1988; readopt 5/15/93, Register 126; am 6/4/2004, Register 170; am ___/___/2019, Register____)

Authority: AS 16.05.251 AS 16.05.258

Article 9. Chignik Area.

5 AAC 01.480(c) is amended to read:

(c) A subsistence fishermen shall keep a record of the number of subsistence fish taken by that subsistence fisherman each year. The number of subsistence fish taken shall be recorded on the [REVERSE SIDE OF THE] permit. The record must be completed immediately upon landing subsistence-caught fish, and must be returned to the local representative of the department by December 31 of the year the permit was issued. (In effect before 1988; readopt 5/13/93, Register 126; am 5/29/99, Register 150; am ___/___/2019, Register____)

Authority: AS 16.05.251 AS 16.05.258

Article 10. Kodiak Area.

5 AAC 01.530(c) is amended to read:

**DRAFT REGULATORY LANGUAGE MAY BE SUBJECT TO
CHANGE**

(c) A subsistence permit holder shall record the number, or if for herring, the number of pounds, of subsistence fish taken by that subsistence permit holder each year as described in this subsection. The subsistence permit holder shall record all harvested fish on the permit [, IN INK], before concealing the fish from plain view or transporting the fish from the fishing site. The subsistence permit holder must return the permit to the local representative of the department by February 1 of the year following the year the permit was issued. For the purposes of this subsection, "fishing site" means the location where the fish is removed from the water and becomes part of the permit holder's limit.

(In effect before 1988; readopt 5/13/93, Register 126; am 3/16/96, Register 137; am 5/29/99, Register 150; am 5/4/2002, Register 162; am 2/16/2006, Register 177; am 4/25/2008, Register 186; am 4/21/2011, Register 198; am ___/___/ 2019, Register____)

Authority: AS 16.05.251 AS 16.05.258

Article 11. Cook Inlet Area.

5 AAC 01.593(6) is amended to read:

(6) all salmon retained shall immediately be recorded [IN INK] on the permit and reported to the department by noon of the day following the day of harvest by telephone, email or other means as stated in the permit. (Eff. 5/31/98, Register 146; am 5/21/2011, Register 198; am 5/18/2014, Register 210; am 5/22/2018, Register 226; am ___/___/ 2019, Register____)

Authority: AS 16.05.251 AS 16.05.258

Article 12. Prince William Sound Area.

5 AAC 01.630(e)(8) is amended to read:

**DRAFT REGULATORY LANGUAGE MAY BE SUBJECT TO
CHANGE**

(8) a subsistence permit holder shall record all harvested fish on the permit [, IN INK], before concealing the fish from plain view or transporting the fish from the fishing site; for the purposes of this paragraph, "fishing site" means the location where the fish is removed from the water and becomes part of the permit holder's bag limit;

(In effect before 1982; am 4/14/82, Register 82; am 4/28/84, Register 90; am 6/2/88, Register 106; am 4/9/89, Register 110; em am 6/6/89 - 10/3/89, Register 111; am 4/30/91, Register 118; readopt 5/15/93, Register 126; am 5/24/97, Register 142; am 3/30/2000, Register 153; am 5/11/2003, Register 166; am 6/12/2003, Register 166; am 12/1/2004, Register 172; am 3/30/2006, Register 177; am 3/14/2009, Register 189; am 3/29/2018, Register 225; am ___/___/ 2019, Register ___)

Authority: AS 16.05.060 AS 16.05.251 AS 16.05.258

Chapter 02. Subsistence Shellfish Fishery.

Article 1. Statewide Provisions.

5 AAC 02.011(i) is amended to read:

(i) Before concealing the shellfish from plain view or transporting the shellfish from the fishing site, a proxy must record [, IN INK,] on the proxy fishing information form, or a subsistence permit if allowed under (c) of this section, the date, location (body of water fished), species, approximate weight, and number of the shellfish taken by the proxy on behalf of a beneficiary.

(Eff. 7/3/94, Register 130; am 6/15/95, Register 134; am 3/15/2008, Register 185; am ___/___/ 2019, Register ___)

Authority: Sec. 1, ch. 81, SLA 1992 AS 16.05.251 AS 16.05.258
AS 16.05.370 AS 16.05.403 AS 16.05.405

Article 3. Prince William Sound Area.

**DRAFT REGULATORY LANGUAGE MAY BE SUBJECT TO
CHANGE**

5 AAC 02.206 is amended to read:

5 AAC 02.206. Subsistence king and Tanner crab fishing permit. A person must obtain a subsistence crab permit, described in 5 AAC 02.015, from the department before harvesting crab with pots in the Prince William Sound Area. Upon taking king or Tanner crab and before concealing the crab from plain view or removing the crab from the fishing site, the person must enter [, IN INK,] the catch information requested on the permit. (Eff. 9/12/2008, Register 187; am 9/28/2008, Register 187; am ___/___/2019, Register____)

Authority: AS 16.05.251 AS 16.05.258

Article 4. Cook Inlet Area.

5 AAC 02.325(a)(2) is amended to read:

(2) before harvesting Tanner crab, a person must obtain a subsistence permit as specified in 5 AAC 02.015; upon taking Tanner crab, and before concealing the Tanner crab from plain view or removing the Tanner crab from the fishing site, the person must enter [IN INK,] the catch information requested on the permit;

(Eff. 3/15/2008, Register 185; am 9/12/2008, Register 187; am 6/27/2014, Register 210; am 7/22/2017, Register 223; am ___/___/2019, Register____)

Authority: AS 16.05.251 AS 16.05.258

Chapter 58. Cook Inlet - Resurrection Bay Saltwater Area

5 AAC 58.026(a) is amended to read:

DRAFT REGULATORY LANGUAGE MAY BE SUBJECT TO CHANGE

(a) Before harvesting shellfish with pots, a person must obtain a sport fishing shellfish harvest recording form, described in 5 AAC 75.016 and provided by the department. Upon taking shellfish with pots, and before concealing the shellfish from plain view or removing the shellfish from the fishing site, the person must enter [, IN INK,] the catch information requested in the form. A person who fails to comply with the requirements of this subsection or 5 AAC 75.016 may be ineligible to participate during the following calendar year in the fishery for which the form was required.

(Eff. 2/25/98, Register 145; am 6/5/2003, Register 166; am 7/1/2006, Register 178; am ___/___/2019, Register ___)

Authority: AS 16.05.251

Chapter 75. Statewide Provisions.

Article 1. General.

5 AAC 75.006(a)(1) is amended to read:

(1) a nontransferable harvest record is required and must be in the possession of each person taking and retaining a finfish for which an annual limit has been established; for a licensed angler, a harvest record appears on the [BACK OF THE] angler's sport fishing license; for an angler not required to have a sport fishing license, a harvest record may be obtained, without charge, from department offices and fishing license vendors;

5 AAC 75.006(a)(2) is amended to read:

(2) immediately upon landing a finfish for which an annual limit has been established, the angler shall enter the date, location (body of water fished), and species of the catch [, IN INK,] on the harvest record;

(Eff. 7/1/2007, Register 182; am 6/1/2013, Register 206; am ___/___/2019, Register ___)

**DRAFT REGULATORY LANGUAGE MAY BE SUBJECT TO
CHANGE**

Authority: AS 16.05.251

5 AAC 75.011(i) is amended to read:

(i) Before concealing the finfish or shellfish from plain view or transporting the finfish or shellfish from the fishing site, a proxy must record [, IN INK,] on the proxy fishing information form, the date, location (body of water fished), species, approximate weight, and number of the finfish or shellfish taken by the proxy on behalf of a beneficiary.

(Eff. 6/5/94, Register 130; am 5/13/95, Register 134; am 7/1/95, Register 134; am 5/26/2006, Register 178; am 8/8/2007, Register 183; am 3/15/2008, Register 185; am 3/14/2009, Register 189; am ___/___/2019, Register____)

Authority: Sec. 1, ch. 81, SLA 1992 AS 16.05.251 AS 16.05.370
AS 16.05.403 AS 16.05.405

5 AAC 75.012(3)(A) is amended to read:

(A) for a licensed angler is located on [THE BACK OF] the angler's sport fishing license;

5 AAC 75.012(4) is amended to read:

(4) immediately upon landing a shark from salt water, an angler shall enter the date, location (water body), and species of the catch [, IN INK,] on the harvest record; and
(Eff. 4/23/98, Register 146; am 6/10/2010, Register 194; am 6/1/2013, Register 206; am ___/___/2019, Register____)

Authority: AS 16.05.251 AS 16.10.190

Chapter 77. Personal Use Fishery.

DRAFT REGULATORY LANGUAGE MAY BE SUBJECT TO CHANGE

Article 1. Statewide Provisions.

5 AAC 77.016(i) is amended to read:

(i) Before concealing the finfish or shellfish from plain view or transporting the finfish or shellfish from the fishing site, a proxy must record [, IN INK,] on the proxy fishing information form, or a personal use permit if allowed under (c) of this section, the date, location (body of water fished), species, approximate weight, and number of the finfish or shellfish taken by the proxy on behalf of a beneficiary. (Eff. 6/5/94, Register 130; am 6/15/95, Register 134; am 5/26/2006, Register 178; am 8/8/2007, Register 183; am 3/15/2008, Register 185; am ___/___/2019, Register____)

Authority: Sec. 1, ch. 81, SLA 1992 AS 16.05.251 AS 16.05.370
AS 16.05.403 AS 16.05.405

Article 11. Cook Inlet Area.

5 AAC 77.507 is amended to read:

Personal use permit for shellfish. A person must obtain a personal use shellfish permit described in 5 AAC 77.015, from the department before harvesting shellfish with pots in the Cook Inlet Area. Upon taking shellfish and before concealing the shellfish from plain view or removing the shellfish from the fishing site, the person must enter [, IN INK,] the catch information requested on the personal use permit. (Eff. 9/12/2008, Register 187; am ___/___/2019, Register____)

Authority: AS 16.05.251

5 AAC 77.540(a)(2) is amended to read:

**DRAFT REGULATORY LANGUAGE MAY BE SUBJECT TO
CHANGE**

(2) shall record all fish harvested on the permit [, IN INK,] immediately upon harvesting the fish; for the purpose of this paragraph, "immediately" means before concealing the salmon from plain view or transporting the salmon from the

(Eff. 6/7/95, Register 135; am 9/29/95, Register 135; am 5/31/96, Register 138; am 6/21/97, Register 142; am 5/8/98, Register 146; am 6/13/99, Register 150; am 6/22/2002, Register 162; am 6/11/2005, Register 174; am 6/4/2008, Register 186; am 6/12/2011, Register 198; am 5/18/2014, Register 210; am 6/8/2017, Register 222; am ___/___/2019, Register____)

Authority: AS 16.05.060 AS 16.05.251

Article 12. Prince William Sound Area.

5 AAC 77.591(d) is amended to read:

(d) A personal use salmon fishing permit holder shall record all harvested salmon on the permit [, IN INK,] before concealing the salmon from plain view or transporting the salmon from the fishing site. Permits must be returned to the department and the conditions specified in 5 AAC 77.015(c) must be met. For the purposes of this subsection, "fishing site" means the location where the salmon is removed from the water and becomes part of the permit holder's bag limit.

(Eff. 6/12/2003, Register 166; am 3/24/2012, Register 201; am 3/29/2015, Register 213; am 3/29/2018, Register 225; am ___/___/2019, Register____)

Authority: AS 16.05.060 AS 16.05.251

Chapter 92. Statewide Provisions.

Article 2. Licenses, Harvest Tickets, Harvest Reports, Tags, and Fees.

5 AAC 92.010(b) is amended to read:

**DRAFT REGULATORY LANGUAGE MAY BE SUBJECT TO
CHANGE**

(b) After killing an animal for which a harvest ticket is required, **if using a harvest ticket in paper form**, the hunter shall remove immediately, before leaving the kill site, the day and month of the kill from the harvest ticket without removing any other day or month, and shall keep the validated harvest ticket in possession until the animal has been delivered to the location where it will be processed for human consumption; **if using a harvest ticket in electronic form, the hunter shall immediately, before leaving the kill site, validate the harvest ticket by electronic means as directed by the department for the day and month of the kill, and shall keep the validated harvest ticket in possession until the animal has been delivered to the location where it will be processed for human consumption.**

(Eff. 7/5/85, Register 95; am 8/8/87, Register 103; am 8/20/89, Register 111; readopt 5/13/93, Register 126; am 7/1/93, Register 126; am 7/1/98, Register 146; em am 8/28/2000 - 12/25/2000, Register 155; am 7/1/2001, Register 158; am 8/22/2001, Register 159; am 7/1/2002, Register 162; am 7/1/2005, Register 174; am 7/1/2007, Register 182; am 7/1/2009, Register 190; add'l am 7/1/2009, Register 190; am 7/1/2010, Register 194; add'l am 7/1/2010, Register 194; am 7/1/2011, Register 198; 1st add'l am 7/1/2011, Register 198; 2nd add'l am 7/1/2011, Register 198; am 7/1/2016, Register 218; am 7/1/2017, Register 222; am ___/___/2019, Register____)

Authority: AS 16.05.255 AS 16.05.258 AS 16.05.340 AS 16.05.370

5 AAC 92.018(2) is amended to read:

(2) **if using a paper license**, sign the tag across its face before hunting migratory birds.

(Eff. 7/5/85, Register 95; readopt 5/13/93, Register 126; am 7/1/98, Register 146; am ___/___/2019, Register____)

Authority: AS 16.05.255 AS 16.05.258 AS 16.05.340

Article 3. Permits.

**DRAFT REGULATORY LANGUAGE MAY BE SUBJECT TO
CHANGE**

5 AAC 92.050(a)(7) is amended to read:

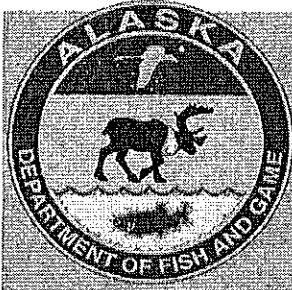
(7) immediately after killing a big game animal for which a permit is required, the permittee, or his or her proxy under 5 AAC 92.011, shall

(A) if using a paper permit, cancel the permit by removing the permit day and month on which the kill was made, without obliterating or destroying any other day and month printed on the permit;

(B) if using an electronic permit, cancel the permit, by electronic means as directed by the department, for the day and month on which the kill was made;

(Eff. 7/5/85, Register 95; am 7/3/86, Register 99; am 4/24/88, Register 106; am 8/12/90, Register 115; am 8/10/91, Register 119; am 7/1/92, Register 122; readopt 5/13/93, Register 126; am 7/1/93, Register 126; am 7/7/94, Register 131; am 7/8/95, Register 135; am 6/28/96, Register 138; am 1/1/97, Register 140; am 3/25/98, Register 145; am 7/1/2000, Register 154; add'l am 7/1/2000, Register 154; am 7/1/2004, Register 170; am 11/1/2004, Register 172; am 12/30/2004, Register 172; am 7/1/2005, Register 174; am 7/1/2006, Register 178; add'l am 7/1/2006, Register 178; am 1/14/2007, Register 181; am 7/1/2007, Register 182; am 1/1/2008, Register 184; am 7/1/2008, Register 186; am 7/1/2009, Register 190; am 2/4/2011, Register 197; am 7/1/2012, Register 202; am 7/1/2014, Register 210; am 7/1/2016, Register 218; am 7/1/2018, Register 226; am ___/___/2019, Register _____)

Authority: AS 16.05.255 AS 16.05.258 AS 16.05.330 AS 16.05.343
AS 16.05.407



Alaska Department of Fish and Game

Board of Fisheries

PO Box 115526

Juneau, AK 99811-5526

(907) 465-4110

www.adfg.alaska.gov

**ALASKA BOARD OF FISHERIES
DELEGATION OF AUTHORITY UNDER AS 16.05.270 TO THE COMMISSIONER TO
ADOPT REGULATIONS TO ALLOW ELECTRONIC LICENSES AND ELECTRONIC
HARVEST RECORDING**

2018-288-FB

The Board of Fisheries ("board") makes the following findings:

1. Whereas current regulations in 5 AAC 75 do not reference electronic licenses and require that annual limits must be recorded on the back of the license in ink.

2. Whereas if current legislation (HB 260) is passed that would allow sport fishing, hunting, and trapping licenses and waterfowl and king salmon stamps to be in paper or electronic format; the current regulations will likely need to be updated to provide for electronic licenses and other required documents.

3. Whereas current regulations specific to commercial crewmember licenses in 5 AAC 39 do not specify paper or electronic format.

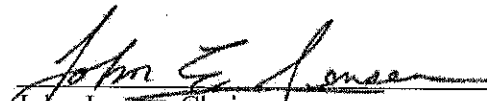
NOW THEREFORE:

A. Pursuant to AS 16.05.270, the board delegates its authority under AS 16.05.251 to the commissioner to consider and, at the commissioner's discretion, adopt permanent regulations to allow and regulate the use of electronic licenses for sport and commercial fisheries and for sport, personal use, and subsistence fisheries harvest recording in electronic or paper format, and make conforming regulation changes as necessary, in accordance with the Administrative Procedure Act (AS 44.62).

B. This delegation of authority shall remain in effect unless revoked by the board.

Date Adopted: March 9, 2018
Anchorage, AK

VOTE: 6-0-1 (Payton absent)


John Jensen, Chairman
Alaska Board of Fisheries

Findings for the Alaska Board of Game

2019-224-BOG

**Delegation of Authority to the Commissioner to Adopt Regulations
to Allow and Regulate the use of Electronic Licenses, Permits or other Documentation
Authorized by the Department of Fish and Game for Hunting and Trapping**

The Board of Game ("board") makes the following findings:

1. Whereas current regulations in 5 AAC Chapter 92 do not reference electronic licenses and certain regulations require that hunting and trapping licenses and a waterfowl stamp be in paper or physical format.
2. Whereas nothing in statute requires licenses, permits, or other documents to be in paper format and the department would be able to issue licenses, permits and other documents in electronic form if the regulations are amended to authorize the department to issue them in any form determined by the department.
3. Whereas AS 16.05.330 was amended by the legislature effective July 1, 2018 to expressly allow sport fishing, hunting, and trapping licenses and waterfowl and king salmon stamps to be in paper or electronic format; the current regulations will need to be updated to provide for electronic licenses and other required documents.

NOW THEREFORE:

A. Pursuant to AS 16.05.270, the board delegates its authority under AS 16.05.255 to the commissioner for the specific purpose of considering and, at the commissioner's discretion, adopting permanent regulations to allow and regulate the use of electronic licenses, permits or other documentation for hunting and trapping in formats authorized by the department, and make conforming regulatory changes as necessary, in accordance with the Administrative Procedure Act (AS 44.62).

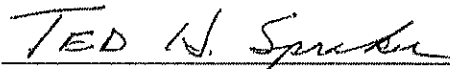
B. This delegation of authority shall remain in effect unless revoked by the board.

Vote: 5-0-2

(Members Hoffman and Burnett Absent)

March 20, 2019

Anchorage, Alaska



Ted Spraker, Chairman

Alaska Board of Game

Commonly Asked Questions

Below is a list of questions that the department has either received or anticipates receiving in response to the proposed changes in current regulation regarding the implementation of the eLicense application.

Why are these regulations being proposed to be changed?

The proposed regulatory change is a result of legislative actions during the FY13 budget approval process. Funding was set aside by the legislature for the Department of Fish and Game to initiate and implement a software application that is available to the public for the purpose of providing an electronic copy of sport fishing, personal use fishing or subsistence fishing and proxy fishing licenses and or permits and an effective date of July 14, 2018 was set by the legislature. This proposed regulatory change would also remove the requirement of having a physical paper original permit/license to be carried at all times while participating in these activities. Additionally, the proposed changes would also modify reporting procedures for hunting activities requiring harvest tickets and tags so that reporting can be done electronically as well as allowing for the use of electronic hunting permits.

What will be the effect of proposed changes?

Some reporting requirements would now be able to be done electronically for specified hunting and fishing activities and physical forms would not have to be on carried on your person at all times while participating in those hunting or fishing activities.

How will the new technology work once implemented?

The permit or license must be purchased through the ADF&G website by logging into myADF&G. After the purchase of the license/permit there will be an area to accept terms and conditions for the eLicense and once accepted, the eLicense can be downloaded to a phone or other mobile device. This functionality will also be available for others, such as guides and charter operators to have a license or permit emailed to the email of the permit holders address and available for download from the email of the permit holder after accepting the terms and conditions. There will also be functionality for licenses/permits from eVendor that will be the same as if the license/permit was purchased by a third party and then emailed to the permit/license holder.

Commonly Asked Questions

What is the funding source?

Funds from a capital improvement project approved by the legislature in FY13.

Will there be any associated additional fees?

Not at this time.