



LAWS OF ALASKA

1990

Source

SCS CSHB 394 (Res)

Chapter No.

116

AN ACT

Relating to utilization of pollock and prohibiting the waste of pollock taken in a commercial fishery; and providing for an effective date.

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

THE ACT FOLLOWS ON PAGE 1, LINE 10

Approved by the Governor: June 14, 1990
Actual Effective Date: June 15, 1990

AN ACT

Relating to utilization of pollock and prohibiting the waste of pollock taken in a commercial fishery; and providing for an effective date.

* Section 1. LEGISLATIVE FINDINGS. The legislature finds

(1) extensive and valuable populations of pollock are available for harvest in the water of and off Alaska;

(2) commercial markets are available for pollock processed in several forms including both roe and flesh;

(3) the biology of pollock results in the tendency of pollock to gather in large spawning aggregations during specific times of the year so that large quantities of female pollock are easily harvested by commercial trawl fisheries;

(4) the trawl fleet is a highly efficient fishery;

(5) trawl fleets targeting on spawning aggregations of pollock generate management difficulties for state and federal fisheries managers, and could cause serious conservation problems for the pollock resource;

(6) one processing technique presently employed involves stripping roe from female pollock and then discarding the carcasses of both male and female pollock;

(7) profitable markets for fish roe have promoted roe stripping in commercial fisheries for salmon, herring, and pollock, however roe stripping is now prohibited in the salmon and herring fisheries; recent events have demonstrated the need to prohibit the wasteful practice of roe

Chapter 116

1 stripping in the pollock fishery.

2 * Sec. 2. AS 16.10 is amended by adding new sections to article 3 to
3 read:

4 Sec. 16.10.164. POLICY ON UTILIZATION OF POLLOCK. The legisla-
5 ture declares that stripping roe from pollock without utilizing the
6 flesh is wasteful and does not constitute utilization of this resource
7 for the maximum benefit of the people. Therefore, it is the policy of
8 the state that

9 (1) roe stripping be eliminated to the fullest extent
10 possible; and

11 (2) pollock taken in a commercial fishery should be uti-
12 lized for human consumption to the fullest extent practicable.

13 Sec. 16.10.165. UTILIZATION OF POLLOCK TAKEN IN A COMMERCIAL
14 FISHERY. (a) Unless otherwise provided by law, a person may not
15 recklessly waste or cause to be wasted pollock taken in a commercial
16 fishery.

17 (b) The Board of Fisheries may adopt regulations under the
18 Administrative Procedure Act (AS 44.62) it considers necessary for
19 implementation of this section. The board may delegate its authority
20 under this section to the commissioner.

21 (c) A person who violates this section is guilty of a class A
22 misdemeanor.

23 (d) Each day on which a violation of this section occurs is a
24 separate violation.

25 (e) In this section

26 (1) "flesh" means all muscular body tissue surrounding the
27 skeleton;

28 (2) "person" includes a joint venture;

29 (3) "waste" means the failure to use the flesh of pollock

1 for human consumption, reduction to meal, production of food for
2 domestic animals or fish, or scientific, display, or educational
3 purposes; "waste" does not include normal, inadvertent loss of flesh
4 associated with processing that cannot be prevented by practical
5 means.

6 * Sec. 3. This Act takes effect immediately under AS 01.10.070(c).
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29