



# LAWS OF ALASKA

1995

**Source**  
SB 3

**Chapter No.**  
45

## AN ACT

Relating to an antitrust exemption for persons engaged in the fishing industry.

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

THE ACT FOLLOWS ON PAGE 1

**Approved by the Governor:** May 26, 1995  
**Actual Effective Date:** August 24, 1995

AN ACT

1 Relating to an antitrust exemption for persons engaged in the fishing industry.

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3 \* Section 1. AS 45.50.572(c) is repealed and reenacted to read:

4 (c) AS 45.50.562 - 45.50.596 do not forbid persons engaged in the fishing  
5 industry as fishermen who catch, collect, or cultivate aquatic products from acting  
6 together in associations for the purpose of collectively catching, producing, preparing  
7 for market, processing, handling, and marketing their product. Associations may have  
8 marketing agencies in common and may make contracts and agreements necessary to  
9 achieve the purposes of this subsection. In this subsection, "association" means an  
10 association, corporate or otherwise, with or without capital stock, that

11 (1) is operated for the mutual benefit of its members;

12 (2) does not deal in the aquatic products of nonmembers to an amount  
13 greater in value than the association handles for its members; and

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1                                   (3) either  
2                                   (A) does not allow a member of the association more than one  
3                                   vote because of the amount of stock or membership capital the member may  
4                                   own in the association; or

5                                   (B) does not pay dividends on stock or membership capital in  
6                                   excess of eight percent a year.

7   \* Sec. 2. AS 45.50.572 is amended by adding a new subsection to read:

8                                   (j) AS 45.50.562 - 45.50.596 do not forbid persons engaged in the fishing  
9                                   industry as fishermen, including fishermen acting through associations allowed under  
10                                   (c) of this section, from collectively agreeing with fish processors, including fish  
11                                   processors acting through associations of processors, on the (1) price paid to the  
12                                   fishermen for aquatic products; and (2) minimum price that fish processors will accept  
13                                   for the sale of processed aquatic products. Nothing in this subsection allows fish  
14                                   processors to agree among themselves on the price paid to fishermen or the minimum  
15                                   price that fish processors will accept for the sale of processed aquatic products if  
16                                   fishermen did not participate in the making of the agreement and are not a party to the  
17                                   agreement.