

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29

IN THE HOUSE

BY MR. DEVEAU

HOUSE BILL NO. 300

IN THE LEGISLATURE OF THE STATE OF ALASKA

FIRST LEGISLATURE - SECOND SESSION

A BILL

For an Act entitled: "An Act to manage and conserve the supply of salmon, crab and shrimp in Alaska by prohibiting persons from engaging in certain activities and providing penalties."

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

Section 1. The legislature finds and recognizes these facts:

(1) Salmon, crab and shrimp are present in commercial quantities both within and without the territorial waters of the state.

(2) Salmon, crab and shrimp taken within the waters of Alaska are indistinguishable, in most cases, from those taken from the adjacent high seas.

(3) Substantial quantities of salmon, crab and shrimp move inshore and offshore intermittently and at various times during any given year and in so doing often enter and leave territorial waters of Alaska.

(4) To conserve the salmon, crab and shrimp found within the waters of the state it is necessary to make evasion of local laws and regulations difficult.

(5) By making certain laws and regulations passed or promulgated for the regulation of the coastal fishery applicable to the adjacent high sea areas, enforcement of local laws will be greatly facilitated.

1 (6) Regulation of the high sea fishing effort will
2 assist in conserving migratory salmon, crab and shrimp.

3 (7) Evidence exists of serious depletion of state
4 fisheries through high sea over-fishing in certain adjacent
5 areas.

6 Therefore, as a matter of public necessity, to relieve
7 economic distress among individual fishermen and those dependent
8 upon them for a livelihood, to conserve the supply of salmon,
9 crab and shrimp in Alaska, to insure fair competition among those
10 engaged in commercial fishing and to insure adequate enforcement
11 of local laws this statute is passed.

12 Sec. 2. The Board of Fish and Game is authorized and
13 directed to promulgate rules and regulations, in order to
14 effectuate the purposes of this Act defining the adjacent high
15 sea areas, and to make coastal fishery rules and regulations
16 governing the manner, means, conditions and time for the taking
17 of salmon, crab and shrimp applicable within designated adjacent
18 high sea areas.

19 Sec. 3. An emergency is hereby declared to exist within the
20 meaning of the Administrative Procedure Act of 1959. The Commi-
21 sioner of Fish and Game is hereby authorized and directed to
22 promulgate emergency orders, rules and regulations, in order to
23 effectuate the purposes of this Act, defining adjacent high
24 sea areas and to make coastal fishery rules and regulations
25 governing the manner, means, conditions and time for the taking
26 of salmon, crab and shrimp applicable within such designated
27 adjacent high sea areas.

28 Sec. 4. It shall be unlawful for any person taking salmon,
29 crab or shrimp in high sea areas designated by the Commissioner

1 of the Alaska Department of Fish and Game or in violation of the
2 rules and regulations promulgated by the Board of Fish and Game
3 governing the taking of salmon, crab or shrimp in such designated
4 areas, to possess, sell, offer to sell, barter, offer to barter,
5 give or transport, within the State, including the waters thereof,
6 any such salmon, crab or shrimp.

7 Sec. 5. It shall be unlawful for any person to possess,
8 purchase, offer to purchase, sell, or offer to sell within the
9 State of Alaska, any salmon, crab or shrimp taken on the high seas
10 knowing said salmon, crab or shrimp to have been taken in viola-
11 tion of any rule or regulation promulgated by the Commissioner of
12 the Alaska Department of Fish and Game or the Alaska Board of
13 Fish and Game, governing the taking of salmon, crab or shrimp in
14 certain areas designated by the Board of Fish and Game or the
15 Commissioner.

16 Sec. 6. Any person who violates the provisions of Sections
17 four or five of this Act is guilty of a misdemeanor and upon the
18 conviction shall be subject to a fine of not exceeding \$5,000.00
19 or imprisonment not to exceed one year, or both such fine and
20 imprisonment.

21 Sec. 7. EFFECTIVE DATE. This Act takes effect on the day
22 after its passage and approval or on the day it becomes law
23 without such approval.
24
25
26
27
28
29