

1 IN THE HOUSE

BY THE JUDICIARY COMMITTEE

2 CS FOR HOUSE BILL NO. 300

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FIRST LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act to manage and conserve the supply  
7 of migratory fish and migratory shellfish  
8 in Alaska by prohibiting persons from  
9 engaging in certain activities; providing  
10 penalties; and providing for an effective  
11 date."

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

13 Section 1. The legislature finds and recognizes these facts:

14 (1) Migratory fish and migratory shellfish are present  
15 in commercial quantities both within and without the territorial  
16 waters of the state.

17 (2) Migratory fish and migratory shellfish taken within  
18 the waters of Alaska are indistinguishable, in most cases, from  
19 those taken from the adjacent high seas.

20 (3) Substantial quantities of migratory fish and  
21 migratory shellfish move inshore and offshore intermittently and  
22 at various times during any given year and in so doing often enter  
23 and leave territorial waters of Alaska.

24 (4) To conserve the migratory fish and migratory shell-  
25 fish found within the waters of the state it is necessary to  
26 strictly enforce local laws and regulations.

27 (5) By making certain laws and regulations passed or  
28 promulgated for the regulation of the coastal fishery applicable  
29 to the adjacent high sea areas, enforcement of these laws and

1 regulations will be greatly facilitated.

2 (6) That conservation regulations should not be promul-  
3 gated to impose economic sanctions.

4 Sec. 2. The Board of Fish and Game is authorized to promul-  
5 fate rules and regulations, in order to effectuate the purposes  
6 of this Act defining the adjacent high sea areas, defining  
7 migratory fish and migratory shellfish and to make coastal fishery  
8 rules and regulations governing the manner, means, conditions and  
9 time for the taking of migratory fish and migratory shellfish  
10 applicable within designated adjacent high sea areas.

11 Sec. 3. It shall be unlawful for any person taking migratory  
12 fish and migratory shellfish in high sea areas designated by the  
13 Alaska Board of Fish and Game or in violation of the rules and  
14 regulations promulgated by the Board of Fish and Game governing  
15 the taking of migratory fish and migratory shellfish in such de-  
16 signated areas, to possess, sell, offer to sell, barter, offer to  
17 barter, give or transport, within the state, including the waters  
18 thereof, any such migratory fish or migratory shellfish.

19 Sec. 4. It shall be unlawful for any person to possess,  
20 purchase, offer to purchase, sell, or offer to sell within the  
21 State of Alaska, any migratory fish or migratory shellfish taken  
22 on the high seas knowing said migratory fish or migratory shell-  
23 fish to have been taken in violation of any rule or regulation  
24 promulgated by the Board of Fish and Game, governing the taking  
25 of migratory fish or migratory shellfish in certain areas de-  
26 signated by the Board of Fish and Game or the Commissioner.

27 Sec. 5. Any person who violates the provisions of Secs. 3  
28 and 4 of this Act is guilty of a misdemeanor and upon the con-  
29 viction thereof shall be subject to a fine of not exceeding

1 \$5,000.00 or imprisonment not to exceed one year, or both such  
2 fine and imprisonment.

3 Sec. 6. This Act shall not apply to: (1) those species of  
4 salmon in those areas within the international waters of the  
5 Pacific Ocean which are regulated by the International Pacific  
6 Salmon Fisheries Commission or by the United States laws or rules  
7 or regulations promulgated pursuant to such laws; (2) the use  
8 of nets for fishing for or taking salmon for the purposes of  
9 scientific investigation authorized by the laws of this state;  
10 and (3) the existing laws and regulations prohibiting the taking  
11 of salmon by means of nets on the high seas.

12 Sec. 7. This Act takes effect on the day after its passage  
13 and approval or on the day it becomes law without such approval.  
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