

1 IN THE HOUSE

BY MESSRS. HAMMOND AND DEVEAU

2 HOUSE BILL NO. 432

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 SECOND LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act providing standards for the Board of
7 Fish and Game in performing certain functions;
8 and providing for an effective date."

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

10 Section 1. Paragraph 4, Sec. 6, Art. I, Ch. 94, SLA 1959
11 is amended to read:

12 (4) setting quotas and bag limits on the taking
13 fish and game. Quotas on fish taken for commercial purposes
14 shall be established pursuant to standards established in
15 Sec. 6A of this Article;

16 Sec. 2. Art I, Ch. 94, SLA 1959 is amended by adding a new
17 section to read:

18 Sec. 6A. In the imposition of quotas on fish taken for
19 commercial purposes, the Board shall adhere to the following
20 procedure. The Board shall establish for each salmon regis-
21 tration area a maximum number for gear and/or personal
22 licenses. If the number of licensed fishermen or authorized
23 gear in any registration area exceeds the maximum prescribed
24 by the Board, the Board may with consent of the local
25 advisory board impose catch restrictions. If such restrictions
26 are prescribed, the Commissioner shall issue a permit to each
27 commercial fishing license holder physically present in the
28 area who must obtain such permit available at the Alaska
29 Department of Fish and Game and post offices in the area.

1 The permit shall entitle the holder thereof to take the
2 quota of commercial fish as prescribed by the Board or the
3 Commissioner. In the event that a fisherman holding a permit
4 exceeds the established quota, he may cover the excess fish
5 into the quota of any other permit holder who consents to
6 such a covering over. The individual into whose account any
7 excess fish are covered shall receive full compensation for
8 them, and the individual who exceeded the quota shall not
9 have a cause of action for the proceeds against the permit
10 holder who received compensation for the excess fish. Any
11 permit holder who willfully exceeds the established quota
12 without receiving the assent of another permit holder to
13 cover the excess fish into his account is guilty of a
14 misdemeanor.

15 Sec. 3. Should the fishing effort fall below the maximum
16 predetermined level or should substantially greater numbers of
17 salmon than anticipated materialize, the quota shall be lifted.

18 Sec. 4. This Act takes effect on the day after its passage
19 and approval or on the day it becomes law without such approval.

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