

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 of
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 or district a maximum number of units of gear
22 and/or personal licenses. If the number of licensed fisherman
23 or authorized gear in any registration area or district
24 reaches the maximum prescribed by the Board, the Board may
25 with consent of the local advisory board impose catch restric-
26 tions. If such restrictions are prescribed, the Commissioner
27 shall issue a permit to each commercial fishing license
28 holder physically present in the area or district who must
29 obtain such permit available at the Alaska Department of Fish

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