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IN THE SENATE

BY SENATOR LOGAN

SENATE BILL NO. 127

IN THE LEGISLATURE OF THE STATE OF ALASKA

SECOND LEGISLATURE - FIRST SESSION

A BILL

For an Act entitled: "An Act relating to the fish and game re-
sources of Alaska; amending Ch. 94, SLA
1959; and providing for an effective date."

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

Section 1. Ch. 94, SLA 1959, is amended by adding a new
Article III A to read as follows:

ARTICLE III A

EMERGENCY COMMERCIAL FISHING MEASURES

Section 1. STATEMENT OF PURPOSE. The legislature is aware that in many areas of Alaska the entire economy and very existence of communities depend upon the annual salmon run. The legislature is also aware of the fact that in years of poor salmon runs, competitive pressure has resulted in Alaska resident fishermen not being able to make even a minimum catch, such as is necessary for a basic standard of living. Further, there is no alternative means of earning a living for residents of these areas. While the state is forbidden from creating an economic advantage for its residents under normal circumstances, it is both a practical and moral responsibility of the state to provide for its citizens in situations where economic competition will create community destitution. Therefore, to provide for the welfare of its people in extreme circumstances, the legislature hereby adopts the following emergency measures.

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Sec. 2. POWER OF DEPARTMENT OF FISH AND GAME TO LIMIT FISHING. a. At least 60 days prior to the opening of any fishing district to commercial fishing, the Department of Fish and Game shall determine, from a survey of the predicted run of salmon and from the number of district licenses issued, whether, under anticipated fishing conditions, the district residents will catch sufficient salmon to result in a minimum return, sufficient to sustain them for the year, but in no account less than \$5,000.00 for each resident of the district. If, upon investigation, the Department determines that the catch will not be sufficient, the Department of Fish and Game has the power to prohibit all non-residents of the fishing district from taking any fish in the district. In gathering information for the determination as to fish runs, and average catch, the Department may use all information at its command, and may cooperate with federal agencies.

b. All regulations closing the district to non-residents shall be promulgated in accordance with the Administrative Procedure Act. All hearings held on regulations closing a district shall be held in the district that will be affected.

c. Nothing contained herein shall limit the power of the commissioner, upon reasonable grounds, from closing the area to non-residents when actual circumstances demand such a closure to protect the residents of the district from complete financial destitution.

Sec. 2. This Act takes effect on the day after its passage and approval or on the day it becomes law without such approval.