

Original sponsor: The Judiciary  
Committee

Offered: 3/24/66  
Referred: Rules

1 IN THE HOUSE BY THE STATE AFFAIRS COMMITTEE

2 SENATE CS FOR HOUSE BILL NO. 255

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FOURTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the protection of  
7 anadromous fish; and providing for an effec-  
8 tive date."

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

10 \* Section 1. AS 16.05.870(a) is amended to read:

11 (a) The commissioner shall, in accordance with the  
12 Administrative Procedure Act (AS 44.62) specify the various  
13 rivers, lakes, and streams or parts of them that are im-  
14 portant for the spawning or migration of anadromous fish.  
15 Prior to December 31, 1968, said specification may be made by  
16 designating areas within which all rivers, lakes, and streams  
17 are deemed important for the spawning or migration of an-  
18 adromous fish; provided, that such areas lie within 50 miles  
19 of the coastline extending from Dixon Entrance through False  
20 Pass to Cape Menshikof, including all islands east of False  
21 Pass. Any person giving notice under (b) of this section  
22 prior to December 31, 1968, may, if the activity is to take  
23 place within such a designated area, request the commissioner  
24 to specify individually by name or number, the particular  
25 rivers, lakes, and streams or parts of them within the area  
26 of operations described in said notice which are important  
27 for the spawning and migration of anadromous fish. Upon  
28 receipt of the request the commissioner shall promptly make  
29 such designation.

1 \* Sec. 2. AS 16.05.880 is amended to read:

2 Sec. 16.05.880. VIOLATION OF SECS. 870 - 895 OF THIS  
3 CHAPTER. If a person or governmental agency begins con-  
4 struction on a work or project or use for which notice is  
5 required by [DESCRIBED IN] sec. 870 of this chapter without  
6 first providing plans and specifications subject to the  
7 approval of the commissioner for the proper protection of  
8 fish and game, and without first having obtained written ap-  
9 proval of the commissioner as to the adequacy of the plans  
10 and specifications submitted for the protection of fish and  
11 game, he is guilty of a misdemeanor. If a person or govern-  
12 mental agency is convicted of violating secs. 870 - 895 of  
13 this chapter or continues a use, work or project without  
14 fully complying with secs. 870 - 895 of this chapter, the  
15 use, work, or project is a public nuisance and is subject to  
16 abatement. The cost of restoring a specified river, lake, or  
17 stream to its original condition shall be borne by the  
18 violator and shall be in addition to the penalty imposed by  
19 the court.

20 \* Sec. 3. This Act takes effect on the day after its passage  
21 and approval or on the day it becomes law without such approval.  
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