

1 IN THE HOUSE

BY MCGILL

2 HOUSE BILL NO. 362

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FOURTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act providing for the creation of the
7 Alaska Fishermen's Board to facilitate the
8 abolition of high seas fishing; and provid-
9 ing a fish packing tax."

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

11 * Section 1. AS 18 is amended by adding a new chapter to
12 read:

13 Sec. 18.95.010. PURPOSES. The purposes of this
14 chapter are

15 (1) to authorize and enable the Board to formulate
16 and effectuate directly or in cooperation with other agencies
17 and instrumentalities, research, and through educational
18 programs and otherwise facilitate the abolition of high seas
19 salmon fishing;

20 (2) to provide funds to finance programs initi-
21 ated by the board and to cover operational expenses of the
22 board by creating a tax of 10 cents per case on all salmon
23 packed in the state; this tax being due and payable from
24 the packer at the time of the actual packing of the salmon;
25 these tax moneys to be collected by the Department of
26 Revenue and disbursed to the board by the Department of
27 Administration.

28 Sec. 18.95.020. BOARD CREATED. (a) There is created
29 the Alaska Fishermen's Board, which consists of five members

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appointed by the governor and confirmed by a majority of the legislature meeting in joint session. Members of the board shall be citizens and residents of this state, and all of them shall be fishermen who perform their functions of commercial fishermen in this state.

(b) The governor shall make his appointments by selecting one member from each of the following geographical areas:

(1) Area One is the coastal area from Hidden Inlet northwest to, but not including, Petersburg.

(2) Area Two is Petersburg northwest to, but not including, Yakutat.

(3) Area Three is Yakutat northwest to, but not including, Port Chatham.

(4) Area Four is Port Chatham west to Attu, on the south side of the Alaska Peninsula.

(5) Area Five is the area north of the south side of the Alaska Peninsula.

(c) Members shall serve terms of five years. Initial appointment of members are: the Area One member for one year; the Area Two member for two years; the Area Three member for three years; the Area Four member for four years; and the Area Five member for five years.

(d) Three members of the board are a quorum.

(e) The board shall elect a chairman annually and shall hold at least two regular meetings a year. The board shall meet at the call of the chairman or upon written request of three members of the board.

(f) Board members receive no salary but are entitled to per diem and travel expenses authorized by law for other

1 boards and commissions.

2 Sec. 18.95.030. DUTIES. (a) The board shall implement
3 programs as the board formulates for the control of and/or
4 abolition of high seas salmon fishing.

5 (b) The board shall take whatever measures it considers
6 necessary which are reasonably calculated to protect the
7 rights of the Alaska fishermen and their vested interests,
8 and the powers of this chapter are to be exercised only to
9 the extent necessary to attain these objectives.

10 Sec. 18.95.040. FAILURE TO PAY TAX. Failure to pay the
11 tax levied under this chapter is a misdemeanor and may be
12 punishable by a fine of not to exceed double the amount of
13 the assessment for each instance of violation.

14 Sec. 18.95.050. MONEY COLLECTED. All money collected
15 under this chapter shall be deposited with the Department of
16 Revenue, to be disbursed to the board by the Department of
17 Administration, who is responsible for the accounting and
18 maintenance of this fund.

19 Sec. 18.95.060. MONEY EXPENDED. Appropriations for
20 expenses of the board shall not exceed the amount of money
21 collected under this chapter through taxes and contributions.

22 Sec. 18.95.070. ADMINISTRATIVE PROCEDURE ACT. The
23 Administrative Procedure Act (AS 44.62) does not apply to this
24 chapter.

25 Sec. 18.95.080. DEFINITIONS. In this chapter

26 (1) "fishermen" include all commercial fishermen,
27 duly licensed to fish commercially in Alaskan waters;

28 (2) "board" means the Alaska Fishermen's Board.

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