

Introduced: 2/1/74
Referred: Resources and
Judiciary

1 IN THE SENATE

BY THE RULES COMMITTEE BY REQUEST
OF THE SPECIAL SENATE COMMITTEE ON
FISHERIES

2 SENATE BILL NO. 319

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 EIGHTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to penalties for commercial fishing
7 violations."

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

9 * Section 1. AS 16.05.720(a) is amended to read:

10 (a) Except as modified by (c) of this section, a [ANY] person
11 who violates secs. 480 - 700 of this chapter or the [RULES AND] regula-
12 tions of the department pertaining to commercial fisheries is guilty
13 of a misdemeanor and upon conviction is punishable by a fine of not
14 more than \$5,000 or by imprisonment for not more than one year, or by
15 both.

16 * Sec. 2. AS 16.05.720 is amended by adding a new subsection to read:

17 (c) A person who violates or aids in the violation of a regula-
18 tion promulgated under secs. 440 - 700 of this chapter relating to
19 commercial fishing in closed waters, commercial fishing during a closed
20 period or season, or commercial fishing with unlawful gear including
21 but not limited to nets, pots, tackle, or other devices designed or
22 employed to take fish commercially, is guilty of a misdemeanor and in
23 addition to the penalty imposed under (a) of this section is punishable
24 by a fine of not less than the gross value to the fisherman of the fish
25 found on the vessel or at the fishing site at the time of the violation.
26 Upon a third conviction of a person for a violation under this sub-
27 section, and in addition to the forfeiture provision in sec. 710 of
28 this chapter, the fine shall be not less than three times the gross
29 value to the fisherman of the fish found on the vessel or at the

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fishing site, or, if no fish are found on the vessel or at the fishing site, a fine of not more than \$10,000.