

Original sponsor: Hohman

Offered: 3/4/75
Referred: Rules

1 IN THE SENATE

BY THE RESOURCES COMMITTEE

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CS FOR SENATE BILL NO. 96

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IN THE LEGISLATURE OF THE STATE OF ALASKA

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NINTH LEGISLATURE - FIRST SESSION

5

A BILL

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For an Act entitled: "An Act relating to the sale of subsistence caught fish
7 eggs."

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

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* Section 1. INTENT. (a) It is the intent of section 2 of this Act to
10 permit the sale or trade of salmon roe under strict permit and regulatory
11 provisions to assure the health of subsistence economies in areas where such
12 use will not jeopardize or interfere with the maintenance of existing salmon
13 stocks.

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(b) It is the intent of section 3 of this Act to control the waste of
15 salmon resources.

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* Sec. 2. AS 16.05 is amended by adding new sections to read:

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Sec. 16.05.825. SALE OF SUBSISTENCE SALMON ROE. (a) Notwith-
18 standing AS 16.05.940(17), the board may adopt regulations permitting
19 the sale of subsistence salmon roe under conditions the board considers
20 advisable.

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(b) The board may permit subsistence salmon roe sales under (a) of
22 this section if

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(1) the accustomed contribution of salmon to particular sub-
24 sistence economies will be maintained, as modified by current needs; and

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(2) subsistence salmon roe sales will not jeopardize or
26 interfere with the maintenance of salmon stocks on a sustained yield
27 basis.

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(c) No person may purchase or trade for or attempt to purchase
29 or trade for subsistence salmon roe unless he possesses an annual permit

1 issued by the commissioner. The commissioner may specify terms and
2 conditions of a permit required under this section. No license is
3 required for the specific act of selling subsistence salmon roe. No
4 person may purchase or transport or attempt to purchase or transport
5 salmon roe which he knows or has reason to know was taken in violation
6 of this section or regulations adopted under it.

7 (d) If the commissioner finds that sale of subsistence salmon roe
8 is resulting in waste of salmon carcasses, damage to salmon stocks, or
9 circumvention of salmon management programs, he may close any or all
10 areas to subsistence salmon roe sale by emergency order.

11 (e) Original purchasers of subsistence salmon roe shall record
12 information required by the department on fish tickets supplied by the
13 department.

14 (f) The board may adopt regulations it considers necessary for the
15 administration of this section. The board may delegate its authority
16 under this section to the commissioner.

17 (g) A person who violates this section or a regulation adopted
18 under it is subject to a fine of not more than \$10,000, or imprisonment
19 for not more than six months, or both.

20 (h) In this section, "subsistence salmon roe" means salmon roe
21 incidentally obtained as an unavoidable by-product of lawful subsistence
22 fishing.

23 AS 16.05.830. WASTE OF SALMON. (a) It is unlawful for a person
24 to waste salmon intentionally, knowingly, or with reckless disregard for
25 the consequences. In this section, "waste" means the failure to utilize
26 the majority of the carcass, excluding viscera and sex parts, of a
27 salmon which is

- 28 (1) sold to a commercial buyer or processor;
29 (2) utilized for consumption by humans or domesticated

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animals; or

(3) utilized for scientific, educational, or display purposes.

(b) The commissioner may authorize other uses of salmon upon request if he finds that to do so would be consistent with maximum and wise use of the resource.

(c) A person who violates this section or a regulation adopted under it is subject to a fine of no more than \$10,000, or imprisonment for not more than six months, or both. In addition, a person who violates this section is subject to a civil action by the state for the cost of replacing the salmon wasted.

* Sec. 3. Section 1(a) and sec. 2 of this Act expire July 1, 1977.

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