

Original sponsor: Hohman

Offered: 3/24/75  
Referred: Judiciary

1 IN THE SENATE BY THE RESOURCES COMMITTEE  
2 HOUSE CS FOR CS FOR SENATE BILL NO. 96  
3 IN THE LEGISLATURE OF THE STATE OF ALASKA  
4 NINTH LEGISLATURE - FIRST SESSION

5 A BILL

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

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

9 \* Section 1. INTENT. (a) It is the intent of sec. 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.

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

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

17 Sec. 16.05.827. SALE OF SUBSISTENCE SALMON ROE. (a) Notwith-  
18 standing 940(17) of this chapter, the board may adopt regulations  
19 permitting the sale of subsistence salmon roe under conditions the board  
20 considers advisable.

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

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

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

28 (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, entry  
3 permit or interim permit is required for the specific act of selling  
4 subsistence salmon roe. No person may purchase or transport or attempt  
5 to purchase or transport salmon roe which he knows or has reason to know  
6 was taken in violation 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 Sec. 16.05.831. 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, for  
27 salmon which are to be

28 (1) sold to a commercial buyer or processor;

29 (2) utilized for consumption by humans or domesticated

1 animals; or

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

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

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

11 \* Sec. 3. This Act expires January 1, 1977.

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