

Introduced: 1/24/79
Referred: Resources

1 IN THE HOUSE

BY ELIASON AND HAUGEN

2 HOUSE JOINT RESOLUTION NO. 9

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 ELEVENTH LEGISLATURE - FIRST SESSION

5 Urging United States withdrawal from
6 the Convention for the Preservation
7 of the Halibut Fishery of the
8 Northern Pacific Ocean and Bering
9 Sea.

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

11 WHEREAS the Fisheries Management and Conservation Act of 1976 (P.L.
12 94-265) clearly establishes the commendable United States fishery management
13 policy of allowing maximum harvest by United States fishermen of those
14 fisheries subject to the exclusive management of the United States; and

15 WHEREAS the halibut fisheries within 200 nautical miles of the seaward
16 boundary of each of the coastal states would be subject to the exclusive
17 management of the United States if it were not for the Convention for the
18 Preservation of the Halibut Fishery of the Northern Pacific Ocean and Bering
19 Sea; and

20 WHEREAS that convention limits the permissible harvest by United States
21 fishermen within United States waters to less than the maximum optimum yield
22 in contravention of the policy established in the Fisheries Management and
23 Conservation Act; and

24 WHEREAS section 202(b) of the Fisheries Management and Conservation Act
25 mandates renegotiation of any treaty "which is in any manner inconsistent
26 with the purposes, policy, or provisions of" the Act; and

27 WHEREAS the Fisheries Management and Conservation Act requires United
28 States withdrawal from any treaty inconsistent with the policies of the Act
29 which is not renegotiated within a reasonable period of time after the date

1 of enactment of the Act; and

2 WHEREAS the Convention for the Preservation of the Halibut Fishery of
3 the Northern Pacific Ocean and Bering Sea is inconsistent with the policies
4 of the Fisheries Management and Conservation Act and has not been renego-
5 tiated within a reasonable period of time after the date of enactment of the
6 Act; and

7 WHEREAS prospects for United States - Canada agreement on this and other
8 fisheries matters appear dim as a result of recent Canadian rejection of
9 United States positions on a number of fisheries issues; and

10 WHEREAS Canada has refused to reinstitute reciprocal fishing in 1978
11 after it unilaterally terminated that fishing in June, 1978; and

12 WHEREAS United States fishermen are amply equipped and entirely compe-
13 tent to harvest the full maximum optimum yield of the halibut fisheries;

14 BE IT RESOLVED that the Alaska State Legislature urges United States
15 withdrawal from the Convention for the Preservation of the Halibut Fishery of
16 the Northern Pacific Ocean and Bering Sea and assumption of exclusive
17 management authority over the halibut fisheries within 200 nautical miles of
18 the seaward boundaries of the coastal states, in accordance with the Fisheries
19 Management and Conservation Act of 1976; and be it

20 FURTHER RESOLVED that Congress enact legislation which will permit
21 retention of the present research staff and other research capability for
22 support of management plan development by the North Pacific Fisheries
23 Management Council.

24 COPIES of this resolution shall be sent to the Honorable Jimmy Carter,
25 President of the United States; the Honorable Cyrus Vance, Secretary of
26 State; the Honorable Juanita Kreps, Secretary of Commerce; the Honorable John
27 Negroponte, Deputy Assistant Secretary for Oceans and Fisheries Affairs; the
28 Honorable Lloyd N. Cutler, Special Negotiator, Department of State; the
29 International Pacific Halibut Commission; and to the Honorable Ted Stevens

1 and the Honorable Mike Gravel, U. S. Senators, and the Honorable Don Young,
2 U. S. Representative, members of the Alaska delegation in Congress.

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