

Original sponsor(s): REP. DAVIDSON, Grussendorf, Hudson, Jacko, Leman,  
Navarre, Goll

1 IN THE HOUSE BY THE JUDICIARY COMMITTEE

2 CS FOR HOUSE BILL NO. 394 (Judiciary)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 SIXTEENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to utilization of pollock and pro-  
7 hibiting the waste of pollock taken in a commercial  
8 fishery."

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

10 \* Section 1. LEGISLATIVE FINDINGS. The legislature finds

11 (1) extensive and valuable populations of pollock are available  
12 for harvest in the water of and off Alaska;

13 (2) commercial markets are available for pollock processed in  
14 several forms including both roe and flesh;

15 (3) the biology of pollock results in the tendency of pollock to  
16 gather in large spawning aggregations during specific times of the year so  
17 that large quantities of female pollock are easily harvested by commercial  
18 trawl fisheries;

19 (4) the trawl fleet is a highly efficient fishery;

20 (5) trawl fleets targeting on spawning aggregations of pollock  
21 generate management difficulties for state and federal fisheries managers,  
22 and could cause serious conservation problems for the pollock resource;

23 (6) one processing technique presently employed involves strip-  
24 ping roe from female pollock and then discarding the carcasses of both male  
25 and female pollock;

26 (7) profitable markets for fish roe have promoted roe stripping  
27 in commercial fisheries for salmon, herring, and pollock, however roe  
28 stripping is now prohibited in the salmon and herring fisheries; recent  
29 events have demonstrated the need to prohibit the wasteful practice of roe

1 stripping in the pollock fishery.

2 \* Sec. 2. AS 16.10 is amended by adding new sections to article 3 to  
3 read:

4 Sec. 16.10.164. POLICY ON UTILIZATION OF POLLOCK. The legisla-  
5 ture declares that stripping roe from pollock without utilizing the  
6 flesh is wasteful and does not constitute utilization of this resource  
7 for the maximum benefit of the people. Therefore, it is the policy of  
8 the state that

9 (1) roe stripping be eliminated to the fullest extent  
10 possible; and

11 (2) pollock taken in a commercial fishery should be uti-  
12 lized for human consumption to the fullest extent practicable.

13 Sec. 16.10.165. UTILIZATION OF POLLOCK TAKEN IN A COMMERCIAL  
14 FISHERY. (a) Unless otherwise provided by law, a person may not  
15 recklessly waste or cause to be wasted pollock taken in a commercial  
16 fishery.

17 (b) The Board of Fisheries may adopt regulations under the  
18 Administrative Procedure Act (AS 44.62) it considers necessary for  
19 implementation of this section. The board may delegate its authority  
20 under this section to the commissioner.

21 (c) A person who violates this section is guilty of a class A  
22 misdemeanor.

23 (d) Each day on which a violation of this section occurs is a  
24 separate violation.

25 (e) In this section

26 (1) "flesh" means all muscular body tissue surrounding the  
27 skeleton;

28 (2) "person" includes a joint venture;

29 (3) "waste" means the failure to use the flesh of pollock

1       for human consumption, reduction to meal, production of food for  
2       domestic animals or fish, or scientific, display, or educational  
3       purposes; "waste" does not include normal, inadvertent loss of flesh  
4       associated with processing that cannot be prevented by practical  
5       means.