

change the natural flow or bed of any such specified river, lake, or stream, or to use any wheeled, tracked, or excavating equipment or log-dragging equipment in the bed of any such specified river, lake, or stream, such person or governmental agency shall notify the commissioner of such intention prior to the commencement of construction or act, and the commissioner shall acknowledge receipt of such notice by return air mail. If the commissioner so determines, he shall, in said letter of acknowledgement, require such person or governmental agency to submit to him full plans and specifications of the proposed construction or work, complete plans and specifications for the proper protection of fish and game in connection therewith or in connection with such act, and the approximate date when such construction, work, or act is to commence, and, in such case, shall require such person or governmental agency to obtain the written approval of the commissioner as to the sufficiency of such plans or specifications before the proposed construction or act is commenced. If, in such case, any person or governmental agency commences construction on any such works or projects or commences any such act without first providing plans and specifications subject to the approval of the commissioner for the proper protection of fish and game in connection therewith, and without first having obtained written approval of the commissioner as to the adequacy of such plans and specifications submitted for the protection of fish and game, he is guilty of a misdemeanor. If any person

or governmental agency be convicted of violating any of the provisions of this section or continues any act, work, or projects without fully complying with the provisions hereof, such act, works, or projects are hereby declared a public nuisance and shall be subject to abatement as such. The cost of restoring any such specified river, lake, or stream to its original condition shall be borne by the violator and shall be in addition to any penalty imposed by the court.

Provided, that in case of an emergency arising from weather or stream flow conditions, the department, through its authorized representatives, shall issue oral permits to a riparian owner for removing any obstructions or for repairing existing structures without the necessity of submitting prepared plans and specifications.

Should a person or governmental agency fail to notify the commissioner of any construction or act that causes material damage to the spawning beds or prevents or interferes with the migration of anadromous fish, or who, by neglect or noncompliance with plans and specifications required and approved by the commissioner, causes material damage to the spawning beds or prevents or interferes with the migration of anadromous fish, such person or governmental agency shall be guilty of a misdemeanor.

Sec. 2. This Act takes effect on the day after its passage and approval or on the day it becomes law without such approval.

Approved April 18, 1962

CHAPTER 133

AN ACT

Appropriating \$50,000 for the rebuilding of the dock at Angoon; and providing for an effective date.

(C.S.H.B. 443)

Be it enacted by the Legislature of the State of Alaska:

Section 1. The sum of \$50,000 is appropriated from the general fund of the state

to the Department of Public Works for the rebuilding of the dock at Angoon.

Sec. 2. This Act takes effect on July 1, 1962.

Approved April 18, 1962