

STATE OF ALASKA

THE LEGISLATURE

Source	<u>1979</u>	Legislative Resolve No.
<u>HJR 9</u>		<u>1</u>



Urging United States withdrawal from the Convention for the Preservation of the Halibut Fishery of the Northern Pacific Ocean and Bering Sea.

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

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

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

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

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

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

WHEREAS the Convention for the Preservation of the Halibut Fishery of the Northern Pacific Ocean and Bering Sea is inconsistent with the policies of the Fisheries Management and

Conservation Act and has not been renegotiated within a reasonable period of time after the date of enactment of the Act; and

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

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

WHEREAS United States fishermen are amply equipped and entirely competent to harvest the full maximum optimum yield of the halibut fisheries;

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

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

COPIES of this resolution shall be sent to the Honorable Jimmy Carter, President of the United States; the Honorable Cyrus Vance, Secretary of State; the Honorable Juanita Kreps, Secretary of Commerce; the Honorable John Negroponte, Deputy Assistant Secretary for Oceans and Fisheries Affairs; the Honorable Lloyd N. Cutler, Special Negotiator, Department of State; the International Pacific Halibut Commission; and to the Honorable Ted Stevens and the Honorable Mike Gravel, U. S. Senators, and the Honorable Don Young, U. S. Representative, members of the Alaska delegation in Congress.