

SENATE BILL NO. 207

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-SEVENTH LEGISLATURE - SECOND SESSION

BY SENATOR PASKVAN

Introduced: 2/21/12

Referred: Resources, Finance

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to exemptions for a resident hunting and sport fishing license and to**
2 **taking fish and game by proxy for a person with mental or physical disabilities."**

3 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

4 * **Section 1.** The uncodified law of the State of Alaska is amended by adding a new section
5 to read:

6 LEGISLATIVE INTENT. It is the intent of the legislature that AS 16.05.341(b),
7 enacted by sec. 4 of this Act, be implemented in a manner that will enable organizations that
8 serve mentally or physically disabled persons to apply for resident hunting and sport fishing
9 licenses on behalf of the persons they serve, and that the process be straightforward and
10 timely, so that persons with mental or physical disabilities are able to enjoy the use of the
11 state's resources in a manner consistent with art. VIII, sec. 1, of the Constitution of the State
12 of Alaska.

13 * **Sec. 2.** AS 16.05.340(a)(17) is amended to read:

14 (17) Waterfowl conservation tag 5

1 (A) A person may not engage in waterfowl hunting without
 2 having the current year's waterfowl tag in the person's actual possession, unless
 3 that person

4 (i) qualifies for a \$5 license fee under (6) of this
 5 subsection;

6 (ii) is a resident under the age of 16;

7 (iii) is 60 years of age or older and is a resident;

8 (iv) is a disabled veteran **or mentally or physically**
 9 **disabled person** eligible for a free license under AS 16.05.341.

10 (B) The Board of Game shall by regulation exempt the
 11 requirement of a waterfowl conservation tag for waterfowl hunting in areas of
 12 the state not likely to benefit from programs described in AS 16.05.130(b)(2) -
 13 (4).

14 * **Sec. 3.** AS 16.05.340(a)(23) is amended to read:

15 (23) Resident anadromous king salmon tag 10

16 A resident may not engage in sport fishing for anadromous king salmon without
 17 having the current year's anadromous king salmon tag in the resident's actual
 18 possession, unless that person

19 (A) qualifies for a 25 cent license fee under (1) of this
 20 subsection;

21 (B) is under the age of 16;

22 (C) is 60 years of age or older and has been a resident of the
 23 state for at least one year;

24 (D) is a disabled veteran **or mentally or physically disabled**
 25 **person** eligible for a free license under AS 16.05.341; or

26 (E) qualifies for a \$5 license fee under (6) of this subsection.

27 * **Sec. 4.** AS 16.05.341 is amended by adding a new subsection to read:

28 (b) A person with mental disabilities or a person with physical disabilities may
 29 receive a resident hunting and sport fishing license under AS 16.05.340(a)(5) without
 30 charge.

31 * **Sec. 5.** AS 16.05.405(b) is amended to read:

1 (b) Notwithstanding AS 16.05.420(c), a resident holding a valid resident
 2 hunting license may take game on behalf of a person who is blind, a person with
 3 physical disabilities, **a person with mental disabilities**, or a person who is 65 years of
 4 age or older if the resident possesses on the resident's person

5 (1) a document signed by the person on whose behalf the game is
 6 taken, stating that the resident possesses the person's hunting license or permanent
 7 identification card in order to take game on behalf of that person; and

8 (2) the person's

9 (A) resident hunting license issued under AS 16.05.403,
 10 **resident hunting and sport fishing license issued under AS 16.05.340(a)(5),**
 11 **if the person is a person with mental disabilities;** or permanent identification
 12 card issued under AS 16.05.400(b); and

13 (B) harvest ticket, tag, stamp, or other document required by
 14 law as a condition of taking the game being hunted.

15 * **Sec. 6.** AS 16.05.405(c) is amended to read:

16 (c) Notwithstanding AS 16.05.420(c), a resident holding a valid
 17 noncommercial fishing license may take fish on behalf of a person who is blind, a
 18 person with physical disabilities, **a person with mental disabilities**, or a person who
 19 is 65 years of age or older if the resident possesses on the resident's person

20 (1) a document signed by the person on whose behalf the fish is taken,
 21 stating that the resident possesses the person's sport fishing license, subsistence fishing
 22 permit, personal use fishing permit, or permanent identification card in order to take
 23 fish on behalf of that person;

24 (2) the person's

25 (A) resident sport fishing license issued under AS 16.05.403,
 26 **resident hunting and sport fishing license issued under AS 16.05.340(a)(5)**
 27 **if the person is a person with mental disabilities,** or permanent identification
 28 card issued under AS 16.05.400(b);

29 (B) resident subsistence fishing permit issued under
 30 AS 16.05.403; or

31 (C) resident personal use fishing permit issued under

1 AS 16.05.403; and

2 (3) all other documents issued to the person that are required by law as
3 a condition of taking the fish being pursued.

4 * **Sec. 7.** AS 16.05.940 is amended by adding a new paragraph to read:

5 (38) "person with mental disabilities" means a person who presents to
6 the department either written proof that the person receives compensation or services
7 from a government agency for a mental disability or an affidavit stating that the person
8 is eligible for services under AS 47.30.056(b) signed by a

9 (A) physician licensed to practice medicine in the state;

10 (B) psychologist licensed to practice psychology in the state; or

11 (C) social worker licensed to practice clinical social work in the

12 state.

13 * **Sec. 8.** The uncodified law of the State of Alaska is amended by adding a new section to
14 read:

15 REVISOR'S INSTRUCTION. The revisor of statutes is instructed to change the catch
16 line of AS 16.05.341 from "Free license for disabled veterans and active members of the
17 Alaska National Guard and military reserves" to "Free license for certain persons."