



# LAWS OF ALASKA

1976

Source

SCS CSHB 804

Chapter No.

269

## AN ACT

Relating to subsistence hunting areas.

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

\* Section 1. LEGISLATIVE FINDINGS. The legislature finds that traditional dependence on fish and game resources is a continuing and necessary way of life in many areas of the state and that the protection of subsistence usage of these resources is essential to the health, safety and general welfare of the citizens of the state in those areas.

\* Sec. 2. AS 16.05.257 is repealed and re-enacted to read:

Sec. 16.05.257. SUBSISTENCE HUNTING REGULATIONS. (a) The Board of Game, at its regularly scheduled annual meeting, may adopt regulations providing for subsistence hunting in a game management unit or subunit or a portion of a unit or subunit upon

(1) recommendation of the department, based on biological evidence;

(2) the majority vote of the active local advisory committees for that game management unit or subunit;

(3) the written petition of not less than 100 interested residents of that game management unit or subunit; or

(4) the written petition of not less than 25 interested residents of an area which is requested for establishment as a subsistence area within a game management unit or subunit.

(b) The regulations may include but are not limited to the following:

- (1) the establishment of subsistence hunting areas;
  - (2) the regulation of transportation methods and means to protect subsistence hunting within subsistence hunting areas, including the prohibition or limitation of pack animals, mechanized vehicles and aircraft, other than watercraft or wheeled vehicles operating on a road maintained by public funds;
  - (3) the establishment of open and closed seasons and areas to protect subsistence hunting;
  - (4) the limitation of hunting to only one sex of the animal.
- (c) At least 30 days before the determination made in (a) and (b) of this section the department shall, after reasonable notice, hold public hearings, at least one of which must be at or in close proximity to the area for which a subsistence area is requested. A determination as to whether a subsistence area shall be established shall be made by the board at the next scheduled meeting of the board.
- (d) A petition submitted under (a)(3) - (4) of this section shall contain a complete description of the area requested as a subsistence area and a specification of the species within the area considered necessary for subsistence use.
- (e) No subsistence area may be created under this section if the Board of Game determines that biological evidence indicates that the creation of such an area is likely to adversely affect a resource in that it would fall below the level of sustained yield determined to be adequate.
- (f) The Board of Game at any time may review and change the boundaries of a subsistence area upon
- (1) the recommendation of the department, based on biological evidence;
  - (2) the written petition of not less than 25 interested residents of that area; or
  - (3) the majority vote of the active local advisory committees for that area.
- (g) The department shall submit a report to the legislature during the first 10 days of each legislative session beginning after January 1, 1977. The report shall include, but is not limited to, a listing of the specific subsistence areas established or modified during the preceding year and the species subject to subsistence use within those areas.
- (h) In this section
- (1) "subsistence hunting" means the taking of game animals by a state resident for food or clothing for personal or immediate family use;

(2) "subsistence hunting area" means an area designated by the board as primarily important for subsistence use and in which it is unlikely that subsistence needs will be met if recreational hunting, including hunting for trophy purposes, is permitted or if certain methods and means are continued.