

HOUSE BILL NO. 406

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTIETH LEGISLATURE - SECOND SESSION

BY THE HOUSE RESOURCES COMMITTEE

Introduced: 2/12/98

Referred: Resources, Judiciary, Finance

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to subsistence uses of fish and game."**

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

3 *** Section 1. FINDINGS AND INTENT.** (a) The Alaska State Legislature finds that

4 (1) the ability to harvest fish and game for personal and family use for
5 sustenance is a fundamental right under the Constitution of the State of Alaska;

6 (2) the common use clause of the Constitution of the State of Alaska imposes
7 on the state a trust duty to manage the fish, game, and water resources of the state for the
8 benefit of all the people;

9 (3) the harvest of fish and game for personal and family use for sustenance is
10 the highest and best use of fish and game;

11 (4) the fish and game resources of Alaska have adequate biological and
12 reproductive capacity to provide an abundance of fish and game for all users.

13 (b) It is the intent of the Alaska State Legislature to provide

14 (1) for a preference for personal and family use of fish and game for
15 sustenance that parallels the Congressional intent underlying the subsistence preference under

1 Title VIII of the Alaska National Interest Lands Conservation Act but does not violate the
2 fundamental constitutional rights of Alaskans to subsistence, equal protection, and common
3 use of fish and game under the Constitution of the State of Alaska;

4 (2) a greater role for local fish and game advisory committees and regional fish
5 and game councils in the review and approval of regulations governing the use of fish and
6 game resources;

7 (3) for a greater abundance of fish and game resources to serve as a source of
8 food for persons who depend on those resources for personal and family use for sustenance.