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Offered: 5/19/76
For Today's Calendar

1 IN THE HOUSE

BY THE RULES COMMITTEE

2 CS FOR HOUSE BILL NO. 804 (Rules)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 NINTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to subsistence hunting areas."

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

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

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 AS 16.05.257 is repealed and re-enacted to read:

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

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

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

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

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

27 (b) The regulations may include but are not limited to the follow-
28 ing:

29 (1) the establishment of subsistence hunting areas;

1 (2) the regulation of transportation methods and means to
2 protect subsistence hunting within subsistence hunting areas, including
3 the prohibition or limitation of pack animals, mechanized vehicles and
4 aircraft, other than watercraft or wheeled vehicles operating on a road
5 maintained by public funds;

6 (3) the establishment of open and closed seasons and areas
7 to protect subsistence hunting;

8 (4) the limitation of hunting to only one sex of the animal.

9 (c) At least 30 days before the determination made in (a) and (b)
10 of this section the department shall, after reasonable notice, hold a
11 public hearing at or in close proximity to the area for which a subsis-
12 tence area is requested. A determination as to whether a subsistence
13 area shall be established shall be made by the board at the next sched-
14 uled meeting of the board.

15 (d) A petition submitted under (a)(3) - (4) of this section shall
16 contain a complete description of the area requested as a subsistence
17 area and a specification of the species within the area considered
18 necessary for subsistence use.

19 (e) No subsistence area may be created under this section if the
20 Board of Game determines that biological evidence indicates that the
21 creation of such an area is likely to adversely affect a resource in
22 that it would fall below the level of sustained yield determined to be
23 adequate.

24 (f) The Board of Game at any time may review and change the
25 boundaries of a subsistence area, or a portion of the area, after a
26 hearing at or in close proximity to the area, upon a finding that

27 (1) the economic needs of the people who use the area have
28 changed; or

29 (2) the fish or game resources within the area have become

1 depleted by falling below a sustained yield level.

2 (g) The department shall submit a report to the legislature
3 during the first 10 days of each legislative session beginning after
4 January 1, 1977. The report shall include, but is not limited to, a
5 listing of the specific subsistence areas established or modified during
6 the preceding year and the species subject to subsistence use within
7 those areas.

8 (h) In this section

9 (1) "subsistence hunting" means the taking of game animals by
10 a state resident for food or clothing for personal or immediate family
11 use;

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