

Original sponsors: Guy, Anderson,
H. Beirne, et al

Offered: 5/26/76
Referred: Rules

1 IN THE HOUSE

BY THE RESOURCES COMMITTEE

2 SENATE CS FOR CS FOR HOUSE BILL NO. 804

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 AS 16.05.257 is repealed and re-enacted to read: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
11 public hearings, at least one of which must be at or in close proximity
12 to the area for which a subsistence area is requested. A determination
13 as to whether a subsistence area shall be established shall be made by
14 the board at the next scheduled 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 upon

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

28 (2) the written petition of not less than 25 interested
29 residents of that area; or

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(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.