

1 IN THE SENATE

BY BRADLEY

2 SENATE BILL NO. 386

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 NINTH LEGISLATURE - FIRST SESSION

5 A BILL

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

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

8 * Section 1. POLICY. It is declared to be in the public interest to
9 assume that the subsistence needs of the people of the state are met and that
10 the limited issuance of subsistence permits is the best method to assure
11 that such usage is reasonably controlled and that resources are protected
12 and managed in the interest of all citizens.

13 * Sec. 2. AS 16.05 is amended by adding new sections to read:

14 ARTICLE 5. SUBSISTENCE HUNTING PERMITS.

15 Sec. 16.05.730. ELIGIBILITY FOR SUBSISTENCE PERMITS. (a) A
16 subsistence permit to engage in subsistence hunting shall be issued to a
17 resident applicant upon submission of proof to the commissioner or his
18 designee that the applicant had a gross income for the calendar year
19 preceding the year for which his subsistence permit will be issued of
20 \$3,000 or less. No more than one subsistence permit may be issued to
21 the same family if the family members live in the same household. In
22 this section "income" means all taxable and nontaxable cash income, no
23 matter what the source.

24 (b) In addition to other requirements that the commissioner may
25 impose, each application for a permit under this section shall include
26 the name and address of all dependents of the applicant.

27 Sec. 16.05.733. PERMIT ISSUANCE AND EXPIRATION. (a) The method
28 of permit issuance shall be determined by the commissioner.

29 (b) A subsistence permit expires December 31, at the end of each

1 year following issuance.

2 Sec. 16.05.736. COMPLIANCE WITH REGULATIONS MANDATORY. A person
3 who holds a subsistence permit under secs. 730 - 742 of this chapter
4 shall comply with all of the provisions of this title and the regula-
5 tions adopted under it, except that bag limits for animals and birds as
6 established by regulation for general license holders are not applicable.
7 The provisions of a subsistence permit apply to the taking of animals
8 and birds only, as defined and limited by secs. 738 and 940(26) of this
9 chapter.

10 Sec. 16.05.738. RESTRICTIONS APPLICABLE TO SUBSISTENCE PERMIT
11 HOLDERS. The commissioner may limit by emergency order the number of
12 animals or birds taken by a subsistence permit holder or close an area
13 open to subsistence taking in cases where subsistence use seriously
14 threatens the sustained yield management of the resource involved.

15 Sec. 16.05.739. REPORTS BY PERMITTEES. An annual report shall be
16 filed with the Department of Fish and Game by all subsistence permit
17 holders. The report shall include, but not be limited to, the following

- 18 (1) the number and species of animals and birds harvested;
19 (2) the specific area in which the animal or bird was taken.

20 Sec. 16.05.742. VIOLATIONS. A person who violates or aids in the
21 violation of secs. 730 - 739 of this chapter or knowingly makes a false
22 statement or knowingly omits a material fact in or in relation to an
23 application for a subsistence permit, upon conviction, is guilty of a
24 misdemeanor and is punishable by a fine of not less than \$500 or more
25 than \$5,000, or by imprisonment for up to one year, or by both.

26 * Sec. 3. AS 16.05.940 is amended by adding a new paragraph to read:

27 (26) "subsistence" means the taking of an animal or bird for
28 use and consumption by the person taking the animal or bird and his
29 family or household, or for the consumption of his domestic animals;

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however, no by-product of an animal or bird may be used in the construction of saleable handicrafts.

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