

Original sponsor: Anderson

Offered: 5/6/77  
Referred: Rules

1 IN THE HOUSE

BY THE RESOURCES COMMITTEE

2 CS FOR HOUSE BILL NO. 506

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TENTH 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. AS 16.05.257 is repealed and re-enacted to read:

9 Sec. 16.05.257. SUBSISTENCE HUNTING REGULATIONS. (a) The Board  
10 of Game, at its regularly scheduled annual meeting, or at a special  
11 meeting held within 120 days after the vote conducted under (2) of this  
12 subsection, or within 120 days after the receipt of a petition submitted  
13 under (3) or (4) of this subsection, whichever comes sooner, may adopt  
14 regulations providing for subsistence hunting in a game management unit  
15 or subunit or a portion of a unit or subunit upon

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

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

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

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

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

27 (1) the establishment of subsistence hunting areas;

28 (2) the regulation of transportation methods and means to  
29 protect subsistence hunting within subsistence hunting areas, including

1 the prohibition or limitation of pack animals and mechanized vehicles and  
2 aircraft, other than watercraft or wheeled vehicles operating on a road  
3 maintained by public funds;

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

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

7 (c) At least 45 days before the determination made in (a) and (b)  
8 of this section the department shall,

9 (1) after reasonable notice, hold public hearings, at least  
10 one of which must be at or in close proximity to the area for which a  
11 subsistence area is requested, with at least one department game biolo-  
12 gist responsible for the unit or subunit in which the subsistence area  
13 is located and two members of the Board of Game in attendance at these  
14 hearings;

15 (2) make an adequate biological investigation and report, in-  
16 cluding but not limited to the carrying capacity of the species under  
17 consideration, the concentration of other species, and competition among  
18 species which are found in the unit or subunit under consideration;

19 (3) make an adequate report of the numbers of the species that  
20 are being harvested and who is harvesting them, including but not limited  
21 to residents, nonresidents, subsistence hunters and recreational hunters;

22 (4) make the reports submitted under (2) - (3) of this sub-  
23 section available to the advisory committees voting under (a)(2) of this  
24 section or to the persons who petitioned under (a)(3) or (4) of this  
25 section.

26 (d) Comments to the reports submitted under (c)(2) - (3) of this  
27 section may be submitted to the Board of Game at least 10 days before a  
28 determination to adopt regulations under (a) and (b) of this section is  
29 made.

1 (e) A petition submitted under (a)(3) or (4) of this section shall  
2 contain a complete description of the area requested as a subsistence  
3 area, a specification of the species within the area considered necessary  
4 for subsistence use, and a statement as to why a subsistence area is  
5 being requested, including but not limited to the availability of the  
6 species for subsistence harvest and the competition between subsistence  
7 and nonsubsistence users.

8 (f) Subject to (g) of this section, the determination by the Board  
9 of Game to provide for subsistence hunting shall be based on the fol-  
10 lowing:

11 (1) the past and present dependence of the area for subsis-  
12 tence use of the species;

13 (2) the extent of the biomass of the species under considera-  
14 tion in the area;

15 (3) the population trends of the species in the area; and

16 (4) whether the population is able to support nonsubsistence  
17 harvest.

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

23 (h) The Board of Game at any time may review and change the boun-  
24 daries of a subsistence area upon

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

27 (2) the written petition of not less than 25 interested resi-  
28 dents of that area; or

29 (3) the majority vote of the active local advisory committees

1 for that area.

2 (i) The department shall submit a report to the legislature during  
3 the first 10 days of each regular 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 (j) 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.