

1 IN THE SENATE

BY HOHMAN

2 SENATE BILL NO. 506

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the subsistence use of fish and  
7 game."

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

9 \* Section 1. AS 16.05.257(a) is amended to read:

10 (a) The Board of Game, at its regularly scheduled annual meeting,  
11 shall [MAY] adopt regulations providing for subsistence hunting in a  
12 game management unit or subunit or a portion of a unit or subunit upon

13 (1) recommendation of the department, based on biological  
14 evidence;

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

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

19 (4) the written petition of not less than 25 interested  
20 residents of an area which is requested for establishment as a subsis-  
21 tence area within a game management unit or subunit.

22 \* Sec. 2. AS 16.05.257(h)(1) is amended to read:

23 (1) "subsistence hunting" means the taking of game animals by  
24 a state resident for food or clothing for personal or [IMMEDIATE] family  
25 use; or for purposes of barter for other subsistence-taken game or parts  
26 of game for personal or family use;

27 \* Sec. 3. AS 16.05.257(h) is amended by adding a new paragraph to read:

28 (3) "family" means a person related by blood, marriage, or  
29 adoption or a person living on a full-time basis within the household.

1 \* Sec. 4. AS 16.05.257 is amended by adding a new subsection to read:

2 (i) Notwithstanding (a) - (h) of this section and sec. 345 of this  
3 chapter, subsistence hunting of musk-oxen on Nelson Island shall be  
4 allowed on a permit basis, as issued by the commissioner. The Board of  
5 Game shall adopt regulations necessary to implement this subsection.

6 \* Sec. 5. AS 16.05 is amended by adding a new section to read:

7 Sec. 16.05.828. BARTER OF SUBSISTENCE-TAKEN FISH AND GAME OR THEIR  
8 PARTS. (a) Notwithstanding sec. 940(17) of this chapter and in addi-  
9 tion to the provisions of sec. 257 of this chapter, the Board of Fish-  
10 eries and the Board of Game, as appropriate, shall adopt regulations  
11 permitting the barter of subsistence-taken fish and game or their parts  
12 under conditions the boards consider advisable. However, no barter of  
13 subsistence-taken fish or game or their parts may be permitted if, in  
14 the determination of the appropriate board, it will jeopardize or inter-  
15 fere with the maintenance of fish stocks or game populations on a  
16 sustained-yield basis.

17 (b) If the commissioner finds that the barter of subsistence-taken  
18 fish or game or their parts is resulting in the waste of a resource,  
19 damage to fish stocks or game populations, or circumvention of fish or  
20 game management programs, he may, after consulting with the local advi-  
21 sory committee for that unit, subunit or area, prohibit the barter of  
22 fish or game or their parts or close any or all areas to the subsistence  
23 take of fish or game, by emergency order.

24 (c) A person who violates this section or a regulation adopted  
25 under it is punishable by a fine of not more than \$5,000, or by im-  
26 prisonment for not more than six months, or by both.

27 (d) In this section,

28 (1) "barter" means to exchange, trade for, or otherwise  
29 give and receive subsistence-taken fish or game or their parts in

1 exchange for other subsistence-taken fish or game or their parts;

2 (2) "family" means a person related by blood, marriage,  
3 adoption or a person living on a full-time basis within the household;  
4 or

5 (3) "subsistence-taken fish and game" means fish or game  
6 taken by a state resident for food or clothing or for purposes of barter  
7 for personal or family use.