

Introduced: 1/18/83
Referred: Resources

1 IN THE HOUSE

BY LINDAUER

2

HOUSE BILL NO. 67

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

THIRTEENTH LEGISLATURE - FIRST SESSION

5

A BILL

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

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

8 * Section 1. AS 16.05.251(b) is amended to read:

9 (b) The Board of Fisheries shall adopt regulations in accordance
10 with the Administrative Procedure Act (AS 44.62) permitting the taking
11 of fish for subsistence uses unless the board determines, in accor-
12 dance with the Administrative Procedure Act, that adoption of such
13 regulations will jeopardize or interfere with the maintenance of fish
14 stocks on a sustained-yield basis. However, the board may not adopt
15 regulations permitting the taking of fish for subsistence uses by
16 a member of a household whose members have an annual combined cash
17 income of \$60,000 or more for the past calendar year. Whenever it is
18 necessary to restrict the taking of fish to assure the maintenance of
19 fish stocks on a sustained-yield basis, or to assure the continuation
20 of subsistence uses of such resources, subsistence use shall be the
21 priority use. If further restriction is necessary, the board shall
22 establish restrictions and limitations on and priorities for these
23 consumptive uses on the basis of the following criteria:

24 (1) customary and direct dependence upon the resource as
25 the mainstay of one's livelihood; and

26 [(2) LOCAL RESIDENCY; AND]

27 (3) availability of alternative resources.

28 * Sec. 2. AS 16.05.255(b) is amended to read:

29 (b) The Board of Game shall adopt regulations in accordance with

1 the Administrative Procedure Act (AS 44.62) permitting the taking of
2 game for subsistence uses unless the board determines, in accordance
3 with the Administrative Procedure Act, that adoption of such regula-
4 tions will jeopardize or interfere with the maintenance of game re-
5 sources on a sustained-yield basis. However, the board may not adopt
6 regulations permitting the taking of game for subsistence uses by a
7 member of a household whose members have an annual combined cash
8 income of \$60,000 or more for the past calendar year. Whenever it is
9 necessary to restrict the taking of game to assure the maintenance of
10 game resources on a sustained-yield basis, or to assure the continua-
11 tion of subsistence uses of such resources, subsistence use shall be
12 the priority use. If further restriction is necessary, the board
13 shall establish restrictions and limitations on and priorities for
14 these consumptive uses on the basis of the following criteria:

- 15 (1) customary and direct dependence upon the resource as
16 the mainstay of one's livelihood; and
17 [(2) LOCAL RESIDENCY; AND]
18 (3) availability of alternative resources.