

Introduced: 5/11/83  
Referred: Resources

1 IN THE HOUSE BY LINDAUER  
2 SPONSOR SUBSTITUTE FOR 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 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, personal consumption, sport, and commercial  
12 uses unless the board determines, in accordance with the Administra-  
13 tive Procedure Act, that adoption of such regulations will jeopardize  
14 or interfere with the maintenance of fish stocks on a sustained-yield  
15 basis. Whenever it is necessary to restrict the taking of fish to  
16 assure the maintenance of fish stocks on a sustained-yield basis, or  
17 to assure the continuation of subsistence, personal consumption,  
18 sport, or commercial uses of such resources, subsistence use shall be  
19 the first priority use, personal consumption shall be the second  
20 priority use, and sport fishing shall be the third priority use. If  
21 further restriction is necessary, the board shall establish  
22 restrictions and limitations on and priorities for these [CONSUMPTIVE]  
23 uses on the basis of the following criteria:

24 (1) customary and direct dependence upon the resource as a  
25 source [THE MAINSTAY] of one's food supply [LIVELIHOOD];

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, personal consumption and sport uses unless the  
3 board determines, in accordance with the Administrative Procedure Act,  
4 that adoption of such regulations will jeopardize or interfere with  
5 the maintenance of game resources on a sustained-yield basis. When-  
6 ever it is necessary to restrict the taking of game to assure the  
7 maintenance of game resources on a sustained-yield basis, or to assure  
8 the continuation of subsistence, personal consumption, or sport uses  
9 of such resources, subsistence use shall be the first priority use,  
10 personal consumption shall be the second priority use, and sport  
11 hunting shall be the third priority use. If further restriction is  
12 necessary, the board shall establish restrictions and limitations on  
13 and priorities for these [CONSUMPTIVE] uses on the basis of the fol-  
14 lowing criteria:

15 (1) customary and direct dependence upon the resource as a  
16 source [THE MAINSTAY] of one's food supply [LIVELIHOOD];

17 (2) local residency; and

18 (3) availability of alternative resources.

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

20 (30) "personal consumption uses" means the uses in Alaska of  
21 wild, renewable resources for direct personal or family consumption as  
22 food, shelter, fuel, clothing, tools, or transportation, for the  
23 making and selling of handicraft articles out of nonedible by-products  
24 of fish and wildlife resources taken for personal or family consump-  
25 tion, and for sharing for personal or family consumption; for the  
26 purposes of this paragraph, "family" means all persons related by  
27 blood, marriage, or adoption, and any person living within the house-  
28 hold on a permanent basis.