

BY THE RULES COMMITTEE BY REQUEST OF THE GOVERNOR

1 IN THE HOUSE

2

HOUSE BILL NO. 599

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

SIXTEENTH LEGISLATURE - FIRST SPECIAL SESSION

5

A BILL

6 For an Act entitled: "An Act relating to subsistence uses of fish and  
7 wildlife and creating the Subsistence Review  
8 Commission; and providing for an effective date."

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

10 \* Section 1. The Subsistence Review Commission is established.

11 \* Sec. 2. The Subsistence Review Commission shall review all aspects of  
12 state and federal laws relating to subsistence uses of fish, wildlife, and  
13 other natural resources, and the implementation of those laws, including  
14 the effects of Alaskans' use of and state management of, fish and wildlife.  
15 This review must include an examination of

16 (1) what subsistence is and who should qualify as a subsistence user;

17 (2) the most appropriate way to provide for subsistence in Alaska;

18 (3) what a subsistence priority is and how it should be implemented;

19 (4) what constitutes "customary trade and barter" as those terms are  
20 used in federal and state subsistence laws, the potential for increases in  
21 the sale of subsistence harvests, and the resulting impact on other users  
22 under those provisions;

23 (5) the roles of the Board of Fisheries, Board of Game, and the  
24 regional councils and advisory committees in enabling local users to par-  
25 ticipate in the decision-making process with respect to local resources and  
26 in bringing local concerns to the attention of the boards; and

27 (6) what changes, if any, there should be in state and federal laws  
28 relating to subsistence uses of fish, wildlife, and other natural renewable  
29 resources.

1     \* Sec. 3. The Subsistence Review Commission shall report its findings  
2 and any recommendations for needed changes to the governor and the legis-  
3 lature no later than January 15, 1993.

4     \* Sec. 4. (a) The Subsistence Review Commission consists of nine  
5 members appointed by the governor, to include

6             (1) a representative of each of the following:

7                     (A) the Board of Fisheries or the Board of Game,

8                     (B) the Fish and Game regional council system,

9                     (C) organizations representing

10                         (i) Alaska Natives,

11                         (ii) sportsmen's groups and

12                         (iii) commercial fishing interests, and

13             (2) four public members.

14             (b) A majority of the commission constitutes a quorum for conducting  
15 official business of the commission.

16             (c) The governor may appoint additional non-voting, ex-officio  
17 members representing state and federal agencies.

18             (d) Members of the commission who are not state or federal employees  
19 are entitled to transportation and per diem expenses as provided in AS AS  
20 39.20.180.

21     \* Sec. 5. AS 16.05.940(26) is repealed and reenacted to read:

22             (26) "rural area" has the meaning stated in regulations adopted  
23 under the Administrative Procedure Act (AS 44.62) by the Board of  
24 Fisheries and the Board of Game, meeting jointly under AS 16.05.315;

25     \* Sec. 6. Sections 1 - 4 of this Act are repealed upon the filing of  
26 the Subsistence Review Commission's report with the governor and the legis-  
27 lature as provided in sec. 3 of this Act.

28     \* Sec. 7. Sections 1 - 4 and 6 of this Act take effect immediately  
29 under AS 01.10.070(c).

1     \* Sec. 8. Section 5 of this Act takes effect upon approval by the  
2 voters in the 1990 general election of a constitutional amendment relating  
3 to a subsistence preference.