

CS FOR HOUSE BILL NO. 393 (HES)

IN THE LEGISLATURE OF THE STATE OF ALASKA

SEVENTEENTH LEGISLATURE - SECOND SESSION

BY THE HOUSE HEALTH, EDUCATION AND SOCIAL SERVICES COMMITTEE

Offered: 2/7/92

Referred: Resources, Finance

Sponsor(s): REPRESENTATIVES MACKIE, Lincoln, Ellis, Jacko, Gruenberg, C.Davis, MacLean, Baker

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to the taking of fish or game by proxy for a person who is blind, for
2 a person with physical disabilities, or for a person who is 60 years of age or older; and
3 relating to licenses and permits for a person who is blind, for a person with physical
4 disabilities, or for a person who is 60 years of age or older."

5 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

6 * **Section 1.** AS 16.05 is amended by adding a new section to read:

7 Sec. 16.05.403. SPECIAL LICENSES AND PERMITS. (a) A resident hunting license
8 indicating that the purchaser is blind may be obtained from the department upon payment of the
9 fee prescribed in AS 16.05.340 and upon presentation of either an affidavit of the applicant
10 stating that the applicant cannot distinguish light from darkness or an affidavit signed by a
11 licensed physician or a licensed optometrist stating that the applicant's central visual acuity does
12 not exceed 20/200 in the better eye with correcting lenses or that the applicant's widest diameter
13 of visual field subtends an angle no greater than 20 degrees.

14 (b) A resident who is a person with physical disabilities may obtain from the department

1 upon payment of the fee prescribed in AS 16.05.330 - 16.05.430 and upon submission of
2 satisfactory proof of physical disabilities a resident hunting license, a resident sport fishing
3 license, a resident subsistence fishing permit, or a resident personal use fishing permit indicating
4 that the purchaser is a person with physical disabilities.

5 (c) A resident who is 60 years of age or older may obtain from the department upon
6 payment of the fee prescribed in AS 16.05.330 - 16.05.430 and upon submission of satisfactory
7 proof of age a resident hunting license, a resident sport fishing license, a resident subsistence
8 fishing permit, or a resident personal use fishing permit indicating that the purchaser is a person
9 who is 60 years of age or older. This subsection does not limit the right of a resident person
10 who is 60 years of age or older to claim an exemption from hunting or sport fishing license
11 requirements under AS 16.05.400(b).

12 * Sec. 2. AS 16.05.405 is repealed and reenacted to read:

13 Sec. 16.05.405. TAKING FISH AND GAME BY PROXY. (a) Subject to regulations
14 adopted by the Board of Fisheries or the Board of Game to implement this section, including
15 regulations relating to seasons, areas, methods and means, and species, a resident may take fish
16 or game on behalf of another person under this section.

17 (b) Notwithstanding AS 16.05.420(c), a resident holding a valid resident hunting license
18 may take game on behalf of a person who is blind, a person with physical disabilities, or a
19 person who is 60 years of age or older if the resident possesses on the resident's person

20 (1) a document signed by the person on whose behalf the game is taken, stating
21 that the resident possesses the person's hunting license or permanent identification card in order
22 to take game on behalf of that person; and

23 (2) the person's

24 (A) resident hunting license issued under AS 16.05.403 or permanent
25 identification card issued under AS 16.05.400(b); and

26 (B) harvest ticket, tag, stamp, or other document required by law as a
27 condition of taking the game being hunted.

28 (c) Notwithstanding AS 16.05.420(c), a resident holding a valid noncommercial fishing
29 license may take fish on behalf of a person with physical disabilities or a person who is 60 years
30 of age or older if the resident possesses on the resident's person

31 (1) a document signed by the person on whose behalf the fish is taken, stating that

1 the resident possesses the person's sport fishing license, subsistence fishing permit, personal use
2 fishing permit, or permanent identification card in order to take fish on behalf of that person; and

3 (2) the person's

4 (A) resident sport fishing license issued under AS 16.05.403 or permanent
5 identification card issued under AS 16.05.400(b);

6 (B) resident subsistence fishing permit issued under AS 16.05.403; or

7 (C) resident personal use fishing permit issued under AS 16.05.403.

8 (d) A resident who takes fish or game on behalf of another person under this section
9 may, subject to applicable regulations of the Board of Fisheries or the Board of Game, take the
10 fish or game only under those conditions that would apply to the other person if the other person
11 took the fish or game personally

12 (e) A resident who takes, or attempts to take, fish or game on behalf of a person under
13 this section may not engage in fishing or hunting for the resident's use or on behalf of a third
14 person if the resident has possession of

15 (1) the person's license, permit, or identification card and the person's signed
16 document under (b)(1) or (c)(1) of this section, or

17 (2) fish or game taken on behalf of another person.

18 (f) A resident who takes fish or game on behalf of another person under this section shall

19 (1) complete reports relating to the taking of the fish or game as required by the
20 commissioner of fish and game under AS 16.05.370,

21 (2) deliver all parts of fish and game removed from the field to the person on
22 whose behalf the fish or game was taken within a reasonable time after the fish or game is taken;

23 (3) retain the license or permit and the signed document required under (b)(1) or
24 (c)(1) of this section of the person on whose behalf the fish or game is taken until the fish or
25 game is delivered to that person.

26 * Sec. 3. AS 16.05.340(f) is repealed.