

CS FOR HOUSE BILL NO. 393 (RESOURCES) am
IN THE LEGISLATURE OF THE STATE OF ALASKA
SEVENTEENTH LEGISLATURE - SECOND SESSION

BY THE HOUSE RESOURCES COMMITTEE

Amended: 3/30/92

Offered: 3/2/92

Sponsor(s): REPRESENTATIVES MACKIE, Lincoln, Ellis, Jacko, Greenberg, 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 65 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 65 years of age or older; and providing for an
5 effective date."

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

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

8 Sec. 16.05.403. SPECIAL LICENSES AND PERMITS. (a) A resident hunting license,
9 a resident sport fishing license, a resident subsistence fishing permit, or a resident personal use
10 fishing permit indicating that the purchaser is blind may be obtained from the department upon
11 payment of the fee prescribed in AS 16.05.330 - 16.05.430 and upon presentation of either an
12 affidavit of the applicant stating that the applicant cannot distinguish light from darkness or an
13 affidavit signed by a licensed physician or a licensed optometrist stating that the applicant's

1 central visual acuity does not exceed 20/200 in the better eye with correcting lenses or that the
2 applicant's widest diameter of visual field subtends an angle no greater than 20 degrees.

3 (b) A resident who is a person with physical disabilities may obtain from the department
4 upon payment of the fee prescribed in AS 16.05.330 - 16.05.430 and upon submission of
5 satisfactory proof of physical disabilities a resident hunting license, a resident sport fishing
6 license, a resident subsistence fishing permit, or a resident personal use fishing permit indicating
7 that the purchaser is a person with physical disabilities.

8 (c) A resident who is 65 years of age or older may obtain from the department upon
9 payment of the fee prescribed in AS 16.05.330 - 16.05.430 and upon submission of satisfactory
10 proof of age a resident hunting license, a resident sport fishing license, a resident subsistence
11 fishing permit, or a resident personal use fishing permit indicating that the purchaser is a person
12 who is 65 years of age or older. This subsection does not limit the right of a resident person
13 who is 65 years of age or older to claim an exemption from hunting or sport fishing license
14 requirements under AS 16.05.400(b).

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 AS 16.05.405 is repealed and reenacted to read:

16 Sec. 16.05.405. TAKING FISH AND GAME BY PROXY. (a) Subject to regulations
17 adopted by the Board of Fisheries or the Board of Game to implement this section, including
18 regulations relating to or restricting seasons, areas, methods and means, and species, a resident
19 may take fish or game harvested primarily for food on behalf of another person under this
20 section.

21 (b) Notwithstanding AS 16.05.420(c), a resident holding a valid resident hunting license
22 may take game on behalf of a person who is blind, a person with physical disabilities, or a
23 person who is 65 years of age or older if the resident possesses on the resident's person

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

27 (2) the person's

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

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

1 (c) Notwithstanding AS 16.05.420(c), a resident holding a valid noncommercial fishing
2 license may take fish on behalf of a person who is blind, a person with physical disabilities, or
3 a person who is 65 years of age or older if the resident possesses on the resident's person

4 (1) a document signed by the person on whose behalf the fish is taken, stating that
5 the resident possesses the person's sport fishing license, subsistence fishing permit, personal use
6 fishing permit, or permanent identification card in order to take fish on behalf of that person; and

7 (2) the person's

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

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

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

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

16 (e) A resident who takes, or attempts to take, fish or game on behalf of a person under
17 this section may also simultaneously engage in fishing or hunting for the resident's use; however,
18 the resident may not take or attempt to take fish or game by proxy for more than one person at
19 a time. For the purposes of this subsection, a resident is engaged in taking, or attempting to take,
20 fish or game by proxy while the resident has possession of

21 (1) another person's license, permit, or identification card and the other person's
22 signed document under (b)(1) or (c)(1) of this section; or

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

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

25 (1) complete reports relating to the taking of the fish or game as required by the
26 commissioner of fish and game under AS 16.05.370;

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

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

- 1 * **Sec. 3.** AS 16.05.340(f) is repealed.
- 2 * **Sec. 4.** This Act takes effect July 1, 1993.