

Subsistence bill through House

BY NANCY HARVEY

A State commitment to deal with major subsistence issues moved one step closer to reality Friday when the state House approved legislation backed by rural lawmakers.

H.B. 960, entitled, "An Act relating to Fish and Game Management," passed in a 28-8 vote, which followed heated debate on the House floor. Supporters of the bill lost two key provisions through amendments offered on the floor, including the establishment of a permanent interim Subsistence Committee, and the addition of two members to the Board of Fish and Game.

However, the controversial Division of Subsistence Hunting and Fishing held its own in floor debate. The division would be housed within the Department of Fish and Game, with status equal to the Divisions of Sport Fishing, Commercial Fishing, and Game. Primary duties of the new division would include:

- compiling data and conducting studies to gather information on the role subsistence plays in the lives of Alaskan residents;

- quantifying the amount, nutritional value, and extent of dependence on subsistence-caught food;

- making information available to appropriate agencies and the legislature for use in developing policies;

- assisting the legislature and Boards of Fish and Game in determining what use of fish and game, as well as which users and what methods, should be termed subsistence uses, users

and methods;

- evaluating the impact of state and federal laws on subsistence, and making recommendations to the governor and legislature;

- making recommendations to the Boards of Fish and Game regarding adoption, amendment, and repeal of regulations related to subsistence; and,

- participating with other divisions in the preparation of a

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statewide and regional management plan to incorporate the needs of subsistence users of fish and game.

Another major area of the bill states that subsistence hunting and fishing shall be the priority use whenever it is necessary to restrict taking in order to assure continued maintenance of a resource.

The legislation directs that if further restrictions are necessary, the Boards of Fish and Game shall establish restrictions, limitations, and priorities based on: customary and direct dependence upon the resources as the mainstay of one's livelihood; local residency; and availability of alternative resources.

In accordance with sound game management practices, the Board of Game is directed to establish open seasons for game species which coincide with the time of year when each species is most edible.

Several disputed and unclear definitions affecting subsistence practices are dealt with in the legislation in an attempt to update existing regulations. Subsistence hunting is amended to "mean the taking of game animals by a state resident for subsistence uses by means defined by the Board of Game." Subsistence hunting area "means an area in which only subsistence hunting of affected species is permitted, and which is managed for maximum food potential."

The bill also defines one facet of a subsistence definition—that of subsistence uses. "Subsistence uses means the customary and traditional uses in Alaska of wild, renewable resources for direct personal or family consumption, as food, shelter, fuel, clothing, tools, or transportation or the making and selling of handicraft articles out of non-edible by-products of fish and wildlife resources taken for personal or family consumption, and for the customary trade, barter, or sharing for personal or family consumption; for the purposes of this paragraph, "family" means all persons related by blood, marriage, or adoption and any person living within the household on a permanent basis."

An outdated statute prohibiting the barter of subsistence caught fish and wildlife is repealed, and barter is defined to

mean "the exchange or trade of fish or game or their parts: (a) for other fish or game or their parts; or (b) for other food or for non-edible items, if the exchange is of a limited and noncommercial nature."

Representative Nels Anderson (D-Dillingham), prime sponsor of the bill and chairman of the Interim Subsistence Committee, expressed pleasure over passage of the bill Friday: "I'm so happy, I can hardly believe it."

Anderson went on to say that one of the most important sections of the bill is the statement of intent, which reads: "The legislature finds there is a need to develop a statewide policy on the utilization, development, and conservation of fish and game resources, and to recognize those resources are not inexhaustible and that preferences must be established among beneficial users of the resources."

"It is in the public interest to clearly establish subsistence use as the priority beneficial use of Alaska's fish and game resources and to recognize the need, customs, and traditions of Alaskan residents."

The bill now moves to the State Senate, where it must withstand two committee referrals before a floor vote. Anderson said he hopes the bill will be acted upon soon, and added that he has no reason to believe there are any real problems with the legislation. Hearings by the Senate Resources Committee, chaired by Senator Kay Poland (D-Kodiak), are expected late this week or early next week, followed by hearings in the Senate Finance Committee, chaired by Senator John Sackett (R-Galena).