

# Subsistence Protection-

## *Legislation Attracts Attention*

By SENATOR JOHN SACKETT

JUNEAU, AK. — Without question, subsistence legislation placing mandatory geographical subsistence areas of 25 miles has served the purpose of directing attention to the need for subsistence protection. My sponsor substitute eliminates that provision.

The additional intent was to force the Board of Fish and Game to act immediately to identify those areas of greatest need by holding hearings in rural Alaska, an act which has never occurred, in order to allow local residents input to game management decisions and to force the board to administratively identify and meet the basic need of subsistence protection.

I felt that I had to make a drastic move in order to get the State and the Department of the Interior to direct their attention to this problem. Now that they have begun to do so, my need for mandatory provisions does not exist.

It was never my intention to be racial with "intentions of splitting the races in Alaska." Too often we forget that non-Native people have a long history of residence in the bush. Mistakenly, we assume that anything rural or bush is necessarily Native. This is not true.

Were it the case that there was sufficient game and fish to satisfy the needs of all our resident hunters — commercial, sports, and subsistence — then there would be no need for legislation to protect any particular type of hunter. However, we all know that this is not the case entirely, for if it were, then the commercial and sport hunter would not be so concerned. They would find game for their particular needs elsewhere instead of around a village and conflicts and problems would not exist. The very fact that subsistence legislation is such a controversy indicates that the resource is limited.

Making priorities is not without precedent. At the present time, the State recognizes priorities in the utilization of all Alaskan resources. We allow resident preference over non-residents. We currently are examining limited entry into fisheries. In the area of game resources we make a distinction between commercial and sports utilization, etc. However, existing game laws and administration do not presently allow for a higher priority for subsistence hunting in spite of its unquestionable necessity.

One must start with the premise that there are residents in Alaska who have no alternative method by which to live, do not

have a cash economy and yet must feed themselves and their families. This is fact and anyone who states that this does not exist would be ignoring a very obvious situation within this State.

Why there is such a large subsistence group; and why they do not have an alternative way to feed their families is a problem that the State has been wrestling with for a long time. As a state government, we have been successful in creating methods by which to give a person the opportunity to hold a job, work full time, and provide a means of livelihood in urban centers. There still remains, however, this large group of people that unfortunately do not have that opportunity. Viewed with compassion, this situation cannot be ignored. A means must be found with which to alleviate the problem. Senate Bill 99 strives to do this by protecting traditional subsistence lifestyles until such time when these people can find another means of existing.

The general highlights of my bill are:

- For a period of one year, the commissioner has the power to establish zones adjacent to or in close proximity to rural communities.

- In addition, he may establish other zones for those not living in rural communities; trying not to conflict with commercail fisheries in doing so.

- The determination of zones is initiated by petition from the local governing body or by 25 or more citizens who don't live adjacent or in close proximity to rural communities.

- The commissioner has the power to limit species of fish and game.

- Fifteen days after effective date of this act, he calls for applications. Within 30 days, the commissioner must hold hearings (local) and within a reasonable period makes his determinations.

- The commissioner has authority to adjust length of season so non-subsistence hunters may hunt within same area. He or Board of Fish and Game may change the boundaries of subsistence zones. Also no zone may be larger than needed by permittees for that zone.

- After one year authority under this act passes from the commissioner to the Board of

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Fish and Game. However, the commissioner's findings remain in effect unless specifically modified or rejected by the Board Fish and Game.

— The issuance of permits is based on residence in the area, valid permit and license for zone and game, and economic need. Also those who qualify but don't live in a rural community can be issued a permit.

— Permits can be transferred from head of household to dependents. For example, widow to dependent son for hunting.

— Permittees are limited to minimum number of zones necessary to meet their needs. They are not required to purchase a 25 cent license under section 340(a) of title 16, instead they may purchase a regular license without prejudice to their subsistence status.

— Each permittee must comply with applicable regulations

promulgated by the commissioner of Fish and Game.

— It is up to the commissioner to determine how to issue permits but they will be for two-year increments ending on the 31st of December of the second year. Permittees must comply with any request for game management data required for fish and game management.

— Violations are a misdemeanor and all equipment and related paraphernalia shall be confiscated in the event of a conviction.

It is my belief that this bill identifies and deals with a critical situation. At the same time, it allows for maximum use of our resources consistent with subsistence needs and sustained yield principles. Its internal structure is flexible enough to accommodate the desires of sport and commercial hunters as well as those of subsistence hunters in a majority of places in Alaska.