



11A6

Haines Borough Assembly Agenda Bill

Agenda Bill No.: 24-1365

Assembly Meeting Date: 02/27/24

Business Item Description:

Subject: Support for SB 171

Originator:
Manager

Originating Department:
Administration

Date Submitted:
01/30/24

Attachments:

1. Ordinance 24-02-1101

Full Title/Motion:

Motion: Adopt Resolution 24-02-1101

Administrative Recommendation:

Fiscal Impact:

Expenditure Required	Amount Budgeted	Appropriation Required	Projected Impact to Future Operating Budgets
\$ 0	\$ 0	\$ 0	N/A

Comprehensive Plan Consistency Review:

Comp Plan Goals/Objectives:

Consistent: ☒ Yes ☐ No

Summary Statement:

The Assembly previously supported House Bill 201 - this is the same act represented by Senate Bill 171. The bill continues to align residency requirement for sport fishing, hunting and trapping privileges with those of permanent fund dividend eligibility.

Referral:

Referred to:

Referral Date:

Recommendation:

Meeting Date:

Assembly Action:

Meeting Date(s): 02/27/24

Public Hearing Date(s): 02/27/24

Postponed to Date:

**A Resolution of the Haines Borough Assembly Supporting the
Passage of Senate Bill 171: An Act Changing the Residency
Requirements for Sport Fishing, Hunting, and Trapping Privileges.**

WHEREAS, Alaska residents rely on the resources of the State consistent with the Constitutional promise that “fish, wildlife, and waters are reserved to the people for common use”; and

WHEREAS, the residents of the Haines Borough rely heavily on the fish, wildlife and the waters of the area for subsistence, personal and commercial uses; and

WHEREAS, the existing definition of residency for the purpose of obtaining a hunting, trapping or sport fishing license is broad and difficult to enforce due to the low threshold for residency; and

WHEREAS, Alaskans who invest in their communities by maintaining residency most of the year should reap the benefit of access to fish and game resources; and

WHEREAS, Senate Bill 171 aligns the residency requirements for sport fishing, hunting and trapping with the permanent fund dividend eligibility requirements and will help protect the opportunities for harvest for residents, while still allowing access for those who cannot or do not meet the residency requirements,

NOW, THEREFORE, BE IT RESOLVED BY THE HAINES BOROUGH ASSEMBLY supports the passage of Senate Bill 171 by the Alaska State Legislature.

Adopted by a duly-constituted quorum of the Haines Borough Assembly on this 27th day of February, 2024.

Thomas C. Morphet, Mayor

Attest:

Aleka Fullerton, MMC, Borough Clerk

SENATE BILL NO. 171

IN THE LEGISLATURE OF THE STATE OF ALASKA

THIRTY-THIRD LEGISLATURE - SECOND SESSION

BY SENATOR BJORKMAN

Introduced: 1/16/24

Referred: Resources, Finance

A BILL

FOR AN ACT ENTITLED

1 **"An Act changing the residency requirements for sport fishing, hunting, and trapping**
2 **privileges; and providing for an effective date."**

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

4 * **Section 1.** AS 16.05.400 is amended by adding a new subsection to read:

5 (d) A person who is issued a permanent identification card under this section
6 may sport fish, hunt, or trap only if the person continues to meet the residency
7 requirements of AS 16.05.415.

8 * **Sec. 2.** AS 16.05.415(a) is amended to read:

9 (a) In AS 16.05.330 - 16.05.430, a person, except as provided in (c) - (f) of
10 this section, is a resident if the person

11 (1) is physically present in the state with the intent to remain in the
12 state indefinitely and to make a home in the state;

13 (2) has maintained the person's domicile in the state for the 12
14 consecutive months immediately preceding the application for a license;

(3) **has been physically present in the state at all times during the 12 consecutive months under (2) of this subsection or, if absent, was absent only as allowed in AS 43.23.008;**

(4) is not claiming residency in another state, territory, or country; and

(5) [(4)] is not obtaining benefits under a claim of residency in another state, territory, or country.

* Sec. 3. AS 16.05.415(e) is amended to read:

(e) A person who is an alien is a resident for the purposes of AS 16.05.330 - 16.05.430 if the person

(1) is physically present in the state with the intent to remain in the state indefinitely and to make a home in the state;

(2) has maintained the person's domicile in the state for the 12 consecutive months immediately preceding the application for a license;

(3) **has been physically present in the state at all times during the 12 consecutive months under (2) of this subsection or, if absent, was absent only as allowed in AS 43.23.008;**

(4) is not claiming residency in another state, territory, or country; and

(5) [(4)] is not obtaining benefits under a claim of residency in another state, territory, or country.

* Sec. 4. AS 16.05.415 is amended by adding a new subsection to read:

(j) The commissioner shall adopt regulations under AS 44.62 (Administrative Procedure Act) for determining the eligibility of an individual for licensure as a resident under this section. The commissioner may require an individual to provide proof of eligibility, and the commissioner may use other information available from other state departments or agencies to determine the eligibility of an individual. The commissioner shall consider all relevant circumstances in determining the eligibility of an individual.

* Sec. 5. The uncoded law of the State of Alaska is amended by adding a new section to read:

TRANSITION: REGULATIONS. The Department of Fish and Game may adopt regulations necessary to implement the changes made by this Act. The regulations take effect

1 under AS 44.62 (Administrative Procedure Act), but not before the effective date of the
2 relevant provision of this Act implemented by the regulation.

3 * **Sec. 6.** Section 5 of this Act takes effect immediately under AS 01.10.070(c).

4 * **Sec. 7.** Except as provided in sec. 6 of this Act, this Act takes effect January 1, 2025.