

ALASKA BOARD OF GAME
95-91-BOG
Delegation of Authority

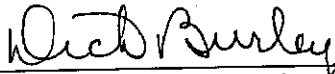
Under AS 16.05.270, the Alaska Board of Game delegates to the Commissioner of the Department of Fish and Game authority to adopt and make regulatory changes to 5 AAC 85 to comply with the Alaska Supreme Court (Supreme Court No. S-6162) opinion in Kenaitze v. State that overturned the superior court's decision invalidating the nonsubsistence areas, consistent with AS 16.05.255 and AS 16.05.258, including the following:

(1) adopt, amend, and repeal regulations as necessary and appropriate to provide for nonsubsistence hunting seasons within the nonsubsistence areas described at 5 AAC 99.015; and to comply with the Supreme Court's decision.

(2) adopt, amend, and repeal subsistence hunt regulations as necessary for conservation of the resource due to regulations adopted under (1) of this delegation. Where possible changes to hunting regulations should result in the same level of opportunity and the same management measures provided by regulation during the 1993--1994 hunting season.

This delegation authorizes the commissioner to adopt regulations providing for hunting seasons, areas, bag limits, and methods and means as necessary to provide a reasonable opportunity for the identified uses in the nonsubsistence areas described in 5 AAC 99.015, including, if necessary, the authority to adopt emergency regulations.

DATE: June 6, 1995



Dick Burley, Chair
Alaska Board of Game

VOTE: 7-0