

SENATE BILL NO. 297

IN THE LEGISLATURE OF THE STATE OF ALASKA
TWENTY-THIRD LEGISLATURE - SECOND SESSION

BY SENATOR SEEKINS

Introduced: 2/6/04

Referred: Resources, Finance

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to the taking of black bear, brown bear, and grizzly bear and to**
2 **registration of big game guides for certain guide use areas."**

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

4 *** Section 1.** AS 08.54.750 is amended by adding a new subsection to read:

5 (f) Notwithstanding (b) of this section, a registered guide who is registered in
6 three guide use areas may also register for and conduct big game hunting services for
7 black bear, brown bear, or grizzly bear in guide use areas within a game management
8 unit or portion of a game management unit where the Board of Game has identified
9 predation by bears as a cause of the depletion of a big game prey population or a
10 reduction of the productivity of a big game prey population that is the basis for the
11 establishment of an intensive management program in the game management unit or
12 portion of the game management unit or for the declaration of the biological
13 emergency in the game management unit or portion of the game management unit.
14 The department shall inform registered guides of the opportunity to register for

1 additional guide use areas under this subsection.

2 * **Sec. 2.** AS 16.05 is amended by adding a new section to read:

3 **Sec. 16.05.781. Taking of black, brown, and grizzly bear.** (a) If, under
4 AS 16.05.255(e) or (f), the Board of Game has identified predation by bear as a cause
5 of the depletion of a big game prey population or reduction of the productivity of a big
6 game population that is a basis for the establishment of an intensive management
7 program in a game management unit or subunit or for the declaration of the biological
8 emergency in a game management unit or subunit, bear may be taken in the game
9 management unit or subunit under (b) - (k) of this section. The department shall
10 provide notice to the public of when and where (b) - (k) of this section are in effect.
11 The taking of bear under this section is subject to provisions of AS 16, applicable to
12 the taking of bear, and to regulations governing the method, manner, means, bag limit,
13 or other matters adopted by the Board of Game that do not conflict with (b) - (k) of
14 this section.

15 (b) Subject to (a) of this section, a person may take bear with the use of bait
16 without registration and may relocate viscera and nonedible parts of legally taken
17 game for use as bait for bear.

18 (c) Subject to (a) of this section, a person may take bear on the same day that
19 the person has been airborne.

20 (d) Subject to (a) of this section, a person may take a bear sow that is
21 accompanied by a cub that is one year of age or older.

22 (e) Subject to (a) of this section, a person may take a bear that is one year of
23 age or older.

24 (f) Subject to (a) of this section, there is no closed season on bear.

25 (g) Subject to (a) of this section, a person may use any motorized vehicle in
26 taking bear.

27 (h) Subject to (a) of this section and notwithstanding AS 16.05.407 or
28 AS 16.05.408, a nonresident or a nonresident alien may take a bear if the nonresident
29 or nonresident alien is accompanied by a resident who is over 19 years of age and who
30 does not receive any remuneration in excess of direct expenses incurred in
31 accompanying the nonresident or nonresident alien to take a bear. A resident may not

1 accompany more than two nonresidents, regardless of whether they are aliens or not,
2 during a calendar year to take a bear under this subsection.

3 (i) Subject to (a) of this section and notwithstanding AS 16.05.782, a person
4 may take a bear within one-half mile of a solid waste disposal facility.

5 (j) Subject to (a) of this section, a person may use an electronic predator call
6 device and electronic telecommunications equipment as an aid to take bear.

7 (k) In this section, "bear" means black bear, brown bear, and grizzly bear.

8 * **Sec. 3.** AS 16.05.407(a) is amended to read:

9 (a) **Except as provided under AS 16.05.781, it** [IT] is unlawful for a
10 nonresident to hunt, pursue, or take brown bear, grizzly bear, mountain goat, or sheep
11 in this state, unless personally accompanied by

12 (1) a person who is licensed as

13 (A) a registered guide or a master guide under AS 08.54 and
14 who is providing big game hunting services to the nonresident under a contract
15 with the nonresident; or

16 (B) a class-A assistant guide or an assistant guide under
17 AS 08.54 and who is employed by a registered guide or a master guide who
18 has a contract to provide big game hunting services to the nonresident; or

19 (2) a resident over 19 years of age who is

20 (A) the spouse of the nonresident; or

21 (B) related to the nonresident, within and including the second
22 degree of kindred, by marriage or blood.

23 * **Sec. 4.** AS 16.05.408(a) is amended to read:

24 (a) **Except as provided under AS 16.05.781, it** [IT] is a class A misdemeanor
25 for a nonresident alien to hunt, pursue, or take a big game animal as defined by the
26 Board of Game unless personally accompanied by

27 (1) a registered guide or a master guide licensed under AS 08.54 who
28 is providing big game hunting services to the nonresident alien under a contract with
29 the nonresident alien; or

30 (2) a class-A assistant guide or an assistant guide licensed under
31 AS 08.54 who is employed by a registered guide or a master guide who has a contract

1 to provide big game hunting services to the nonresident alien.