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1 IN THE HOUSE

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SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 836

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IN THE LEGISLATURE OF THE STATE OF ALASKA

4

ELEVENTH LEGISLATURE - SECOND SESSION

5

A BILL

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For an Act entitled: "An Act relating to alien and nonresident hunters; and
providing for an effective date."

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

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* Section 1. FINDINGS. The legislature finds that

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(1) many nonresident alien hunters are unfamiliar with the English
language or with the language spoken in the area of Alaska in which they wish
to hunt, which often makes it impossible for the nonresident alien hunters to
be made aware of local conditions, either permanent or temporary, which
directly affect their health and safety; without the ability to be made aware
of the local conditions, nonresident alien hunters in the past have strayed
into dangerous areas and have jeopardized their own safety as well as the
safety of those who must be sent out to rescue them; if the nonresident alien
hunters are accompanied by a registered guide, they will be less likely to
stray into the dangerous areas, and the state will not have to incur the
large expenses associated with search and rescue missions;

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(2) many nonresident alien hunters are unfamiliar with the laws
and regulations applicable to hunting in Alaska, and their lack of familiarity
with the English language makes it unlikely that they will benefit from the
written copies of the laws and regulations available from the state; this
lack of knowledge of the laws and regulations increases the likelihood of
waste of the meat of animals taken by the nonresident alien hunters; the
Department of Fish and Game has received reports supporting the contention
that nonresident alien hunters often fail to salvage their meat or fail to
properly care for their meat; if the nonresident alien hunters are accom-

1 panied by registered guides, the problem will be minimized, since registered
2 guides are familiar with the waste laws and regulations and are knowledgeable
3 about caring for meat under Alaska field conditions;

4 (3) it has come to the attention of the Board of Game that air
5 taxi operators have offered services to nonresident alien hunters similar to
6 those provided by registered guides; however, the air taxi operators are not
7 bound by many of the legal and ethical restraints which the state has found
8 necessary and proper for the conduct of guiding operations; the services
9 offered by air taxi operators which are similar to guiding services are
10 inimical to the best interest of the state and could be eliminated or reduced
11 if nonresident alien hunters are required to be accompanied by registered
12 guides;

13 (4) nonresident alien hunters frequently concentrate in a rela-
14 tively few areas of the state where big game is known to exist; this places a
15 great strain on the game in those areas; if the nonresident alien hunters are
16 accompanied by registered guides, the registered guides will be able to
17 introduce the nonresident alien hunters to other areas of the state and to
18 disburse the nonresident alien hunters, thus reducing the hunting pressure in
19 the more heavily hunted areas.

20 * Sec. 2. AS 16.05.407 is amended to read:

21 Sec. 16.05.407. NONRESIDENT OR NONRESIDENT ALIEN HUNTING GAME

22 ANIMALS MUST BE ACCOMPANIED BY GUIDES. (a) It is unlawful for a non-
23 resident to hunt, pursue or take brown bear, grizzly bear, polar bear or
24 sheep in this state, unless personally accompanied by a person who is
25 licensed as a master guide, registered guide or assistant guide
26 under AS 08.54 or [BY THE DEPARTMENT, OR WHO IS PERSONALLY ACCOMPANIED]
27 by a resident Alaskan over 19 years of age who is the spouse of or is
28 related by blood within and including the second degree of kindred
29 to the nonresident. A person who applies for a nonresident big game tag

1 for the taking of an animal specified in this section shall first
2 furnish to the state, on a form provided by the state, an affidavit
3 showing that he will be accompanied in his hunt by a person who is
4 qualified under the terms of this section. A person who falsifies the
5 required affidavit is guilty of perjury.

6 (b) It is unlawful for a nonresident or a nonresident alien to
7 import polar bear into this state unless personally accompanied by a
8 person who is licensed as a master guide, registered guide or assistant
9 guide under AS 08.54 [BY THE DEPARTMENT].

10 (c) A [THE] nonresident who violates (a) or (b) of this section
11 or a nonresident alien who violates (b) or (d) of this section is guilty
12 of a class A misdemeanor [AND UPON CONVICTION IS PUNISHABLE BY IMPRISON-
13 MENT FOR NOT MORE THAN ONE YEAR, OR BY A FINE OF NOT MORE THAN \$2,500,
14 OR BY BOTH].

15 (d) Except as provided in (e) of this section, it is unlawful
16 for a nonresident alien to hunt, pursue or take game in this state
17 unless personally accompanied by a person who is licensed as a master
18 guide, registered guide or assistant guide under AS 08.54 or by a
19 resident Alaskan over 19 years of age who is the spouse of or is
20 related by blood within and including the second degree of kindred to
21 the nonresident alien. A nonresident alien who applies for a hunting
22 license or a big game tag shall, when required by the Board of Game,
23 furnish to the state, on a form provided by the state, an affidavit
24 showing that he will be accompanied in his hunt by a person who is qual-
25 ified under the terms of this section. A person who falsifies the re-
26 quired affidavit is guilty of perjury.

27 (e) The Board of Game may designate by regulation species of game
28 which a nonresident alien may hunt without a guide.

29 (f) In this section, "nonresident alien" means a person who is

1 not a citizen of the United States and who is not admitted to the United
2 States with immigrant or other resident alien status under the immi-
3 gration and naturalization laws of the United States.

4 * Sec. 3. This Act takes effect immediately in accordance with AS 01.10.-
5 070(c).

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