

Original sponsors: Hurlbert, Anderson,  
Hayes, et al

Offered: 3/31/80  
Referred: Rules

1 IN THE HOUSE

BY THE RESOURCES COMMITTEE

2 CS FOR SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 836

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 ELEVENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the use of state fish and game  
7 resources by aliens and nonresidents; and providing for  
8 an effective date."

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

10 \* Section 1. FINDINGS. The legislature finds that

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

22 (2) many nonresident alien hunters are unfamiliar with the laws  
23 and regulations applicable to hunting in Alaska, and their lack of familiar-  
24 ity with the English language makes it unlikely that they will benefit from  
25 the written copies of the laws and regulations available from the state; this  
26 lack of knowledge of the laws and regulations increases the likelihood of  
27 waste of the meat of animals taken by the nonresident alien hunters; the  
28 Department of Fish and Game has received reports supporting the contention  
29 that nonresident alien hunters often fail to salvage their meat or fail to

1 properly care for their meat; if the nonresident alien hunters are accom-  
2 panied by registered guides, the problem will be minimized, since registered  
3 guides are familiar with the waste laws and regulations and are knowledgeable  
4 about caring for meat under Alaska field conditions;

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

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

21 \* Sec. 2. AS 16.05.407 is amended to read:

22 Sec. 16.05.407. NONRESIDENT OR NONRESIDENT ALIEN HUNTING GAME  
23 ANIMALS MUST BE ACCOMPANIED BY GUIDES. (a) It is unlawful for a non-  
24 resident to hunt, pursue or take brown bear, grizzly bear, polar bear or  
25 sheep in this state, unless personally accompanied by a person who is  
26 licensed as a master guide, registered guide or assistant guide  
27 under AS 08.54 or [BY THE DEPARTMENT, OR WHO IS PERSONALLY ACCOMPANIED]  
28 by a resident Alaskan over 19 years of age who is the spouse of or is  
29 related by blood within and including the second degree of kindred

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

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

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

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

28 (e) The Board of Game may designate by regulation species of small  
29 or unclassified game which a nonresident alien may hunt without being

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personally accompanied by a guide or resident Alaskan related to the  
nonresident alien.

\* Sec. 3. AS 16.05.340(a)(13) is amended by adding a new subparagraph to read:

(C) Nonresident alien fur dealer license..... 500

\* Sec. 4. AS 16.05.340(a)(14) is amended by adding a new subparagraph to read:

(C) Nonresident alien taxidermy license..... 500

\* Sec. 5. AS 16.05.340(a) is amended by adding a new paragraph to read:

(21) Nonresident alien licenses

(A) Hunting license..... 150

(B) Hunting and sport fishing license..... 200

(C) Hunting and trapping license..... 300

(D) Visitor's special sport fishing license -  
valid for the period inscribed on the license

(i) for 10-day license..... 25

(ii) for one-day license..... 10

(E) Sport fishing license..... 50

\* Sec. 6. AS 16.05.940 is amended by adding a new paragraph to read:

(28) "nonresident alien" means a person who is not a citizen of the United States and who is not admitted to the United States with immigrant or other resident alien status under the immigration and naturalization laws of the United States.

\* Sec. 7. This Act takes effect immediately in accordance with AS 01.10.070(c).