

HB

835

# COMMITTEE REPORT

(9)

## HOUSE

2/18/80

FURTHER: FINANCE

Date: \_\_\_\_\_

Mr. Speaker:

The Committee on RESOURCES has had HB 835

"An Act relating to nonresident big game tag fees; and providing for an effective date."

under consideration and (a majority of the committee) (the committee) reports it back with the following recommendations:

- do pass  do not pass
- do pass with attached amendments(s)
- replace with CS for HB 835  same title  
 new title
- and recommends TA
- AND attaches a "Letter of Intent"  New Fiscal Note
- reports it back without recommendation
- referred to the \_\_\_\_\_ Committee

**MEMBERS SIGNING  
DO PASS**

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**MEMBERS HAVING  
OTHER RECOMMENDATIONS:**

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*[Signature]*

CHAIRMAN



# Alaska State Legislature

## House

HOUSE RESOURCES COMMITTEE

**FISH & GAME ISSUES**

Alvin Osterback, Chairman

Pouch V, State Capitol  
Juneau, Alaska 99811  
(907) 465-3715

### HEARING NOTIFICATIONS

Re: Big Game Tags

BILL	DATE INFORMED	LETTER/PHONE	INFORMED	HEARING DATE
HB	4/3/80		Rep. Haribert	4/8/80
835	4/3/80		Alaska Professional Hunters Assoc. (Randy Smith)	4/8/80
	4/3/80		Dept. of Fish & Game Bob Hinman, Game Div. to testify	4/8/80
	4/3		Mr. Jack O'Donnell, guide	4/8/80
			Dept. of Revenue	

(6) Visitor's special sport fishing license — valid for the period inscribed on the license

- (A) For 10-day license . . . . . 15
- (B) For one-day license . . . . . 5

(7) Nonresident sport fishing license . . . . . 30

(8) Nonresident hunting license . . . . . 60

(9) Nonresident hunting and sport fishing license . . . . . 90

A nonresident may not take a big game animal without previously purchasing a numbered, nontransferable, appropriate tag, issued to him as provided in (16) of this subsection. The tag shall be affixed to the animal immediately upon capture and shall remain affixed until the animal is prepared for storage, consumed, or exported.

(10) Nonresident hunting and trapping license . . . . . 200

(11) Repealed by § 2 ch 32 SLA 1968.

(12) Repealed by § 2 ch 32 SLA 1968.

(13) Fur dealers:

- (A) Resident fur dealer license . . . . . 50
- (B) Nonresident fur dealer license . . . . . 200

(14) Taxidermists:

- (A) Resident taxidermy license . . . . . 75
- (B) Nonresident taxidermy license . . . . . 200

(15) Fish, fur or game farming license . . . . . 100

(16) Nonresident big game tags:

- (A) Bear, black, each . . . . . 100
- (B) [deleted]
- (C) Bear, brown or grizzly, each . . . . . 250
- (D) Bear, polar, each . . . . . 250
- (E) Bison, each . . . . . 250
- (F) Caribou, each . . . . . 200
- (G) Deer, each . . . . . 35
- (H) Elk, each . . . . . 125
- (I) Goat, each . . . . . 125
- (J) Moose, each . . . . . 200
- (K) Sheep, each . . . . . 250
- (L) Walrus, each . . . . . 250
- (M) Wolf, each . . . . . 50
- (N) Wolverine, each . . . . . 50

(17) Repealed by § 2 ch 32 SLA 1968.

(18) Resident tags for bear, brown or grizzly, each . . . . . 25

(19) Resident or nonresident permit application fee (all species for which a limited drawing is conducted, except musk oxen) . . . . . 5

(20) [Effective January 1, 1980] King salmon (*Oncorhynchus tshawytscha*) and steelhead trout (*Salmo gairdneri*) sport fishing permit (permit required north of Yakutat only) . . . . . 5

A person who possesses a 25-cent license under (1) or (5) of this subsection may receive a king salmon and steelhead trout sport fishing

HB  
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AB 835

Regulations promulgated under this section must be in accordance with the Administrative Procedure Act (AS 44.62). State v. Tanana Valley Sportamen's Ass'n, Sup. Ct. Op. No. 1716 (File No. 3433), 583 P.2d 854 (1978).

While this section, which authorizes the Board of Game to adopt regulations providing for subsistence hunting, does not specifically refer to the Administrative Procedure Act (AS 44.62), it appears clear that it merely sets forth an additional purpose for which regulations may be promulgated. State v. Tanana Valley Sportamen's Ass'n, Sup. Ct. Op. No. 1716 (File No. 3433), 583 P.2d 854 (1978).

Issuance of permits based on verbal instructions to agents held improper. — The issuance of permits for the killing of caribou in certain specified areas of the state based on verbal instructions to the permit agents as to the need of individual

applicants does not conform to requirements of the Administrative Procedure Act (AS 44.62). State v. Tanana Valley Sportamen's Ass'n, Sup. Ct. Op. No. 1716 (File No. 3433), 583 P.2d 854 (1978).

Nothing in the Administrative Procedure Act (AS 44.62) authorizes the Board of Game to impose requirements not contained in written regulations by means of oral instructions to agents. Such verbal additions to regulations involving requirements of subsistence are unauthorized and unenforceable. State v. Tanana Valley Sportamen's Ass'n, Sup. Ct. Op. No. 1716 (File No. 3433), 583 P.2d 854 (1978).

Reasonable basis for Board of Game's quota of caribou to be killed. — See State v. Tanana Valley Sportamen's Ass'n, Sup. Ct. Op. No. 1716 (File No. 3433), 583 P.2d 854 (1978).

Sec. 16.05.260. Advisory committees.

Cited in State v. Tanana Valley Sportamen's Ass'n, Sup. Ct. Op. No. 1716 (File No. 3433), 583 P.2d 854 (1978).

Article 3. Licensing of Sport Fishing and Hunting.

Section

340. License and tag fees

Sec. 16.05.340. License and tag fees. (a) Fees for licenses and tags are as follows:

- (1) Resident sport fishing license . . . . . \$10
- However, the fee is 25 cents for a resident who is blind.
- (2) Resident hunting license . . . . . 12
- (3) (A) Resident hunting and trapping license . . . . . 15
- (B) Resident trapping license . . . . . 8
- (4) Resident hunting and sport fishing license . . . . . 22
- (5) [Effective January 1, 1980] Resident hunting, trapping, and sport fishing license . . . . . 25

However, the fee is 25 cents for the head of a family or a dependent member of his family or one solely dependent upon himself for support upon proof presented by the applicant that the applicant

(A) is obtaining or has obtained assistance during the preceding six months under any state or federal welfare program to aid the indigent, or

(B) has an annual family gross income of less than \$5,600 for the year preceding application.

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Jack O' Donnell

Registered Guide  
P.O. Box 394  
Petersburg, Alaska 99833  
(907) 772-4805

Feb. 15, 1980



Representative Al Osterback  
House of Representatives  
Juneau, Alaska  
99811

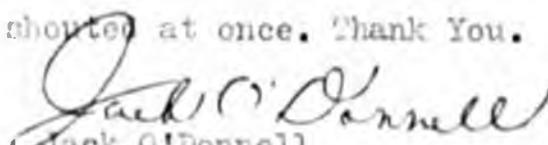
Dear Mr. Osterback,

I have just attended a meeting of the Guide Licensing and Control Board in Juneau on Feb. 13 concerning possible additional curtailment of Guiding activities due to the apparent decline of our Brown Bear population in S.E. Alaska. The actual Bear hunting season on Admiralty Island has now been shortened to 20 days for all practical purposes for spring hunting with the remaining area also shortened to about the same practical hunting time in spring and also curtailed sharply in fall. It would appear that only eliminating the guide business entirely or limiting the business to a small percentage of the existing guides, with a small quota divided proportionately, is about all that is really left for additional curtailment. Historically there has been about 60-80 Brown bear taken each year for the past 25 years in S.E. Alaska and this figure is the optimum amount the Dept. of Fish and Game feels can be harvested annually without depleting the Bear population to a dangerous level. The Dept. of Fish and Game would like to hold the level of Brown bear kill at no more than 60 Bear annually with a fifty fifty percentage of the take distributed between guided hunts (non resident) and resident hunters.

Each season it becomes apparent more and more new residents are actively participating in the bear hunting season to acquire a bear trophy. Until 1977 it cost a resident nothing to take a Brown bear tag and since then it costs only \$25.00 for a resident, \$250.00 for a non resident. There was general agreement among those present at the meeting that our Bear are being given to the public rather cheaply. If one can afford to spend several hundred dollars to have a trophy prepared by a taxidermist surely a Brown bear tag costing \$100 for a resident hunter and a similar increase to \$300 or more for a non-resident hunter is not too severe. This also will deter we feel the rapidly snowballing amount of resident hunters who each season participate more and more throughout the area. It also will possibly change the image of taking a Brown bear trophy even by a resident hunter to a respectable challenge of sportsmanship, and a privilege.

It is time the public realizes that our game in Alaska is not a never ending source of cheap hunting pleasure. Everyone knows that raising the cost of game tags is not a popular idea with one's constituents but it certainly is a much better alternative to limiting hunts than a permit system or drawing.

Eric Jensen, Chairman of the Guide Licensing and Control Board advised the guides present at their meeting to meet as a group with you when it might be convenient for you to give us an audience. However, as you know it costs almost an arm and a leg to remain each additional day in Juneau for each of us and nearly all guides were off and away to their respective towns when the meeting adjourned after public testimony except one or two local Juneau guides. I am hopeful my letter and possibly others from other guides would carry as much weight as would our interrupting your busy schedule to give us an audience where we all shouted at once. Thank You.

  
Jack O'Donnell  
Box 304  
Petersburg, Alaska 99833

HB 835

THE LEGISLATURE OF THE STATE OF ALASKA  
ELEVENTH LEGISLATURE

FISCAL NOTE

I. REQUEST

Bill/Resolution No. House Bill No. 835  
 Title An act relating to nonresident big game tag fees  
 Requested by House Resources Committee Date March 1, 1980

II. FISCAL DETAIL

Agency Affected Department of Revenue  
 Program Category Affected Fish and Game Support  
 BRU, Program, or Subprogram(s) Affected Fish and Game Licensing  
 (Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)

EXPENDITURES (Thousands of Dollars)

	FY 80	FY 81	FY 82	FY 83	FY 84	FY 85
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						

TOTAL

FUNDING (Thousands of Dollars)

Revenue Effects

GENERAL FUND						
FEDERAL FUNDS						
OTHER (Specify Fund Source)						
Game Management Fund		360.1	378.1	431.0		

POSITIONS

FULL TIME						
PART TIME						
TEMPORARY						

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

After the last increase in fees in 1977, the number of nonresident tags sold decreased approximately 25% from the previous year although increased fees resulted in an overall 30% increase in nonresident big game tag receipts. Applying those figures to the currently proposed increase, anticipated sales for FY 1981 are:

	<u>Tags Sold</u>	<u>Gross Receipts</u>
FY 1981 (anticipated)	5,156	\$ 1,560,435.00
FY 1980 (to date)	6,874	1,200,335.00
Difference	(1,718)	\$ 360,100.00

Receipts have continued to increase at the rate of 5% (FY 1979) and 1% (FY 1980 to date.)

*Linda Gene Lockridge*

IV. DATE March 6, 1980 PREPARED BY Linda Gene Lockridge  
 AGENCY Department of Revenue  
 Original: Legislative Finance PHONE: 465-2376  
 cc: Budget and Management  
 Prime Sponsor (First Legislator Named)

**THE LEGISLATURE OF THE STATE OF ALASKA  
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**EXPENDITURES** (Thousands of Dollars)

	FY 80	FY 81	FY 82	FY 83	FY 84	FY 85
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL	2.1					
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
<b>TOTAL</b>	<b>2.1</b>					

**FUNDING** (Thousands of Dollars)

GENERAL FUND	2.1					
FEDERAL FUNDS						
OTHER (Specify Fund Source)						

**POSITIONS**

FULL TIME						
PART TIME						
TEMPORARY						

**III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)**

Anticipated expenditures will be for the printing of revised Big Game Records and shipping revised forms to approximately 400 vendors statewide.

*Linda Gene Lockridge*

IV. DATE March 6, 1980 PREPARED BY Linda Gene Lockridge  
 AGENCY Department of Revenue  
 PHONE 465-2376  
 Original: Legislative Finance  
 cc: Budget and Management  
 Prime Sponsor (First Legislator Named)

# STATE OF ALASKA

JAY S. HAMMOND, GOVERNOR

## DEPARTMENT OF REVENUE

OFFICE OF THE COMMISSIONER

POUCH 5 - JUNEAU 99811

March 10, 1980

The Honorable Alvin Osterback  
Co-Chairman  
House Resources Committee  
Room 118 - Capitol Building  
Juneau, Alaska 99811



Dear Mr. Osterback:

Re: House Bill No. 835

House Bill No. 835, an Act relating to nonresident big game fees, was introduced in the House on February 18, 1980 and was referred to the House Resources and Finance Committees.

For the consideration of the House Resources Committee, I am enclosing copies of Fiscal Notes prepared by Linda Gene Lockridge, Fish and Game Licensing Section, Department of Revenue concerning the proposed legislation.

Sincerely,



R. D. Stevenson  
Special Assistant

cc: The Honorable Bill Miles  
Co-Chairman  
House Resources Committee

The Honorable Russ Meekins  
Chairman  
House Finance Committee

Joseph K. Donohue  
Deputy Commissioner  
Department of Revenue

H. A. Wall, Director  
Administrative Services Division  
Department of Revenue