

COMMITTEE REPORT  
HOUSE

FURTHER:

(11)

4/18/83

Date: 4-6-84

Mr. Speaker:

The Committee on FINANCE has had HB 188

"An Act relating to big game hunting by nonresidents."

under consideration and reports it back as follows:

- do pass  do not pass
- do pass with attached amendments(s)
- replace with CS for HB 188 (FINANCE)  same title  
 new title
- and recommends INDIVIDUAL RECOMMENDATIONS
- AND attaches a "Letter of Intent"  New Fiscal Note
- reports it back without recommendation  Zero Fiscal Note Attached
- referred to the \_\_\_\_\_ Committee

MEMBERS SIGNING  
DO PASS

[Signature]

[Signature]

[Signature]

[Signature]

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

MEMBERS HAVING  
OTHER RECOMMENDATIONS:

[Signature]

[Signature]

Walt Furnace

[Signature] (No Rec)

[Signature] (No Rec)

\_\_\_\_\_

\_\_\_\_\_

[Signature]  
CHAIRMAN

Original sponsor: Ringstad

1 IN THE HOUSE

BY THE FINANCE COMMITTEE

2 CS FOR HOUSE BILL NO. 188 (Finance)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 THIRTEENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to big game hunting by nonresi-  
7 dents."

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

9 \* Section 1. AS 16.05.407 is repealed and reenacted to read:

10 Sec. 16.05.407. NONRESIDENT HUNTING BIG GAME ANIMALS MUST BE  
11 ACCOMPANIED. (a) It is unlawful for a nonresident to hunt, pursue or  
12 take brown bear, grizzly bear, polar bear, or sheep in this state,  
13 unless personally accompanied by

14 (1) a person who is licensed as a master guide, registered  
15 guide, or assistant guide by the Guide Licensing and Control Board; or

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

17 (A) the spouse of the nonresident; or

18 (B) is related to the nonresident, within and includ-  
19 ing the second degree of kindred, by marriage or blood.

20 (b) An applicant for a nonresident big game tag for the taking  
21 of an animal specified in (a) of this section shall first furnish to  
22 the state, on a form provided by the state, an affidavit showing that  
23 the applicant will be personally accompanied while hunting by a person  
24 who is qualified under the terms of (a) of this section. A person who  
25 falsifies the required affidavit is guilty of perjury under AS 11.-  
26 56.200.

27 (c) It is unlawful for a nonresident to import or export polar  
28 bear hides or parts into this state unless personally accompanied by a  
29 person who is licensed as a master guide, registered guide, or

1 assistant guide by the Guide Licensing and Control Board.

2 (d) A nonresident who violates (a) or (c) of this section, or  
3 who fails to furnish an affidavit under (b) of this section, is guilty  
4 of a misdemeanor and upon conviction is punishable by imprisonment for  
5 not more than one year, or by a fine of not more than \$5,000, or by  
6 both.

AFC

STATE OF ALASKA 1984 LEGISLATIVE SESSION  
FISCAL NOTE

Revision Date: November 30, 1983

I. REQUEST  
Bill/Resolution No.: CSHB 188 (FIN)  
Title: Big Game Hunting by Nonresidents  
Sponsor: Ringstad  
Requestor: \_\_\_\_\_  
Date of Request: \_\_\_\_\_

II. FISCAL DETAIL  
Agency Affected: Fish and Game  
Program Category Affected: NRMEC  
BRU, Program of Subprogram(s) Affected: \_\_\_\_\_

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 84	FY 85	FY 86	FY 87	FY 88	FY 89
OPERATING						
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC						
TOTAL OPERATING	0	0	0	0	0	0
CAPITAL	0	0	0	0	0	0
REVENUE	0	0	0	0	0	0

FUNDING: (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER (Specify Source)						
TOTAL						

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						
TOTAL						

III. SOURCE OF FUNDS TO OFFSET FISCAL IMPACT OF BILL:

OFFICE OF  
MANAGEMENT & BUDGET  
NOV 30 1983

BUDGET REVIEW

IV. ANALYSIS: Attach a separate page for any Analysis

Prepared By: Beverly Reaume  
Division: Administration  
Approved by Commissioner: *Dominic D. Kelly*  
Department: Fish and Game

Phone: 465-4120  
Date: \_\_\_\_\_  
Date: 11/29/83

Distribution:

- Original to Legislative Finance
- Copy to Office of Management and Budget (for Legislature introduced bills)
- Copy to Department (for Governor introduced bills)
- Copy to Sponsor
- Copy to Requestor (if different from Sponsor)

9/14/83



# Alaska State Legislature

HOUSE OF REPRESENTATIVES  
COMMITTEE ON RESOURCES

JOHN RINGSTAD, CO-CHAIRMAN  
RICHARD SHULTZ, CO-CHAIRMAN  
POUCH V  
JUNEAU, ALASKA 99811  
(907) 465-3715

## MEMORANDUM

To: Members House Finance Committee  
From: Rep. John Ringstad  
Date: March 20, 1984  
Re: HB 188 Spouses Relatives

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To save time and confusion please note that HB 188 makes only one change in present statutes.

That change is a broadening of the definition of second degree of kindred for the purposes of being able to hunt certain big game species in Alaska with your relatives.

As it now stands big game guides are required of non-residents to hunt dall sheep, brown and grizzly bear, however there is an exemption for blood relatives if they are within the second degree of kindred. The question then arises what about in-laws?

Keep in mind a typical guided sheep hunt costs several thousand dollars on top of travel, licenses, and tag fees, and as the law now reads your in-laws must pay these prices to retain a guide even if they are going to hunt with you for sheep or bear in Alaska.

As best can be determined, Public Safety has not aggressively enforced this technicality, however in-laws who are in the field hunting sheep or bear with their Alaskan relatives are in violation of the law under present statutes and could be heavily fined. In addition, you as an Alaskan, hunting with your in-laws for sheep or bear could be considered in violation of the present guide statutes and subject to stiff fines and possible imprisonment.

It's important to note that no other changes are being made to the statutes or present law, and that legal services merely redrafted the format of the appropriate section in statute to read more clearly and logically and incorporate my request into law.

The whole idea of this bill is to create a reasonable and equitable means for family members to enjoy Alaska with their relatives. With due respect, I ask my colleagues in their considerations not to stray beyond the original purposes of this bill.

Thank you.



# Alaska

## Professional Hunters Association, Inc.

P. O. BOX 4-1932  
ANCHORAGE, ALASKA 99509

Phone (907) 562-2639

### MEMORANDUM

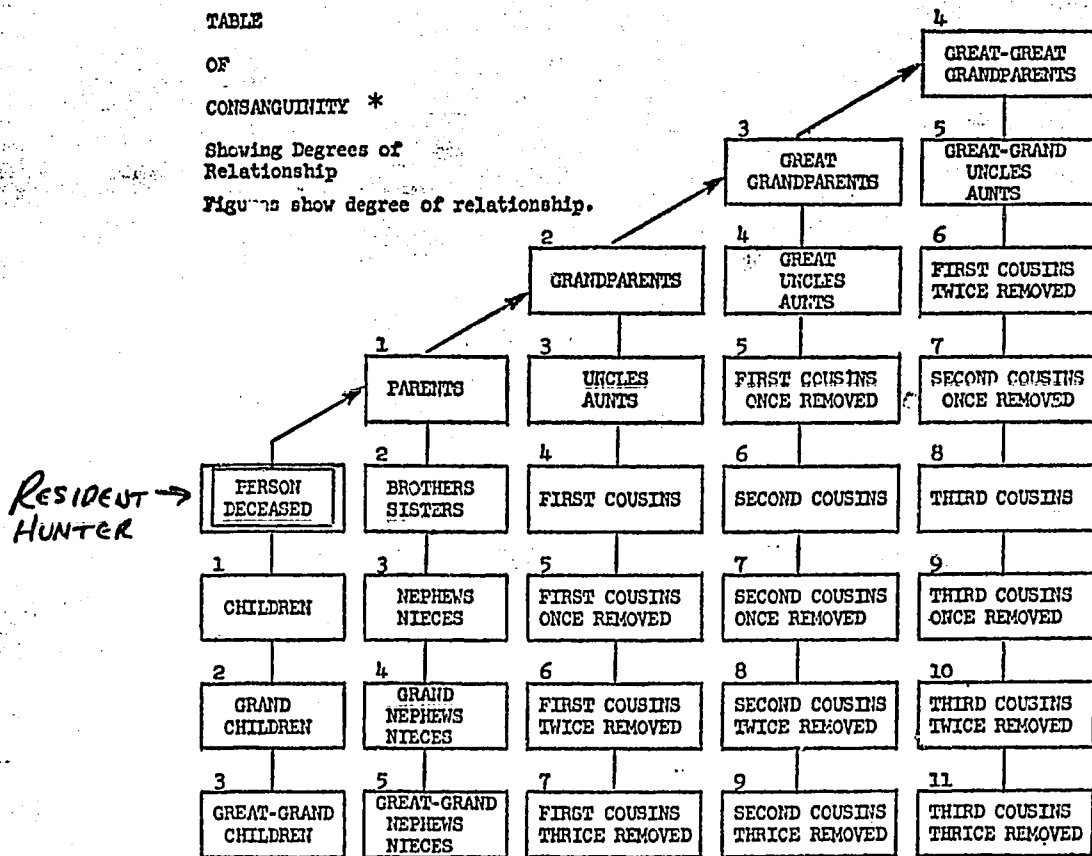
TO: MEMBERS HOUSE FINANCE COMMITTEE & REP. JOHN RINGSTAD  
FROM: ALASKA PROFESSIONAL HUNTERS ASSO.  
DATE: March 28, 1984  
Re: HB 188

As this piece of legislation may have some impact upon our profession, we feel it warrants some consideration and comment on our part.

For the record, we are not opposed to HB 188. In our opinion, this is a positive piece of legislation which will resolve an inequity which currently exists under the present statute.

This bill will allow a person to accompany a spouse's non-resident in-law with-in certain limits, (second degree of kindred), on hunts for sheep, brown bear and grizzly bear. That is a reasonable proposition as far as we are concerned; however, we would oppose any further liberalization in this area, as it could negatively effect prudent game management in Alaska.

TABLE  
OF  
CONSANGUINITY \*  
Showing Degrees of  
Relationship  
Figures show degree of relationship.



\*applicable by degree to affines as well (those connected by marriage as opposed to those connected by blood.

CURRENT STATUTE: AS 16.05.407 Nonresident hunting game animals must be accompanied by guides.

**Sec. 16.05.407. Nonresident hunting game animals must be accompanied by guides.** (a) A nonresident may not hunt, pursue or take brown bear, grizzly bear, polar bear, or sheep in this state, unless personally accompanied by a person who is licensed as a master guide, registered guide, or assistant guide by the Guide Licensing and Control Board, or personally accompanied by a resident Alaskan over 19 years of age who is the spouse of or is related to the nonresident by blood within and including the second degree of kindred. A person who applies for a nonresident big game tag for the taking of an animal specified in this subsection shall first furnish to the state, on a form provided by the state, an affidavit showing that the applicant will be personally accompanied while hunting by a person who is qualified under the terms of this subsection. A person who falsifies the required affidavit is guilty of perjury under AS 11.56.200.

(b) A nonresident may not import polar bear into this state unless personally accompanied by a person who is licensed as a master guide, registered guide, or assistant guide by the Guide Licensing and Control Board.

(c) The nonresident who violates (a) of this section is guilty of a misdemeanor and upon conviction is punishable by imprisonment for not more than one year, or by a fine of not more than \$2,500, or by both. (§ 1 ch 86 SLA 1967; am §§ 39, 40 ch 59 SLA 1982; am § 1 ch 74 SLA 1982)

**Revisor's notes.** — Enacted as AS 16.05.405. Renumbered in 1967. Section 2, ch. 74, SLA 1982 added subsections (d) and the first sentence of (a) was redrafted in 1983 to conform to the style of Alaska Statutes and the phrase "to the non resident" was inserted near the end of the sentence to correct a manifest error of omission.

**Effect of amendments.** — The first 1982 amendment substituted "guide licensing and control board" for "depart-

(e) to this section, but these provisions were renumbered in 1982 as AS 16.05.408(a) and (b). Under AS 01.05.031, "ment" in the first sentence of subsection (a) and in subsection (b), and made other, minor changes.

The second 1982 amendment substituted "this subsection" for "this section" in two places in the second sentence of subsection (a) and added "under AS 11.56.200" to the end of subsection (a).

[REDACTED]

[REDACTED]

[REDACTED] blood relatives of resident Alaskans can hunt brown bear, grizzly bear, polar bear, or sheep without a guide if they are within and including second degree of kindred and are personally accompanied by their Alaska relative.

HB 188 would allow the same criteria to also apply to persons related by marriage.

Example: Your brother comes to Alaska to hunt Dall Sheep. You may legally take him without a guide.

However, you cannot legally take your brother-in-law on the same hunt.

HB 188: Under the changes proposed in this law, your brother-in-law would legally be able to participate in the hunt.

Second Degree of kindred includes, under present law:

- 1) Son, Daughter
- 2) Father, Mother
- 3) Grandfather, Grandmother
- 4) Grandchildren
- 5) Brother, Sister

In addition, [REDACTED]

- 1) Son, Daughter of Spouse
- 2) Father-in-law, Mother-in-law
- 3) Grandfather, Grandmother of Spouse
- 4) Grandchildren of Spouse
- 5) Brother-in-law, Sister-in-law

(B) Subunit 26(B) - that portion of Unit 26 lying east of Subunit 26(A) and west of the west banks of the Canning River and Marsh Fork of the Canning River between the Arctic Ocean and Carter Pass;

(C) Subunit 26(C) - that portion of Unit 26 lying east of Subunit 26(B). (In effect before 1980; am 7/4/80, Reg. 75; am 4/5/81, Reg. 78; am 9/3/81 - 9/12/81, Reg. 80; am 9/30/81, Reg. 79)

Authority: AS 16.05.255(a)(1),(2) and (7)

5 AAC 90.020. DEFINITIONS. In 5 AAC 81 - 5 AAC 90

(1) "airport" means an Alaska airport listed in the Federal Aviation Agency Alaska Airman's Guide and chart supplement;

(2) "bag limit" means the greatest number of game species permitted to be taken by any one person in the unit or portion of a unit in which the taking occurs; however, additional numbers of a species may be taken in another designated open unit or portion of a unit where a greater limit on that species is prescribed; in no case may the total or cumulative bag for one person exceed the limit set for the unit or portion of a unit in which the additional game was taken;

(3) "big game animals" includes black bear, brown and grizzly bear, polar bear, bison, caribou, Sitka blacktail deer, elk, mountain goat, moose, muskoxen, mountain or Dall sheep, wolf and wolverine;

(4) "camp" means a structure erected for the purpose of providing overnight shelter and equipped with bedding and eating facilities for occupants;

(5) "closed season" means the time during which game may not be taken;

(6) repealed 7/2/75;

(7) "cub bear" means a brown, grizzly or polar bear in its first or second year of life, or a black bear (including the cinnamon and blue color phases) in its first year of life;

(8) "fur animals" includes beaver, coyote, arctic fox, red fox, lynx, marten, mink and weasel, muskrat, land otter, sea otter, raccoon,

red squirrel, flying squirrel, ground squirrel and marmot, wolf and wolverine, excepting domestically raised fur animals;

(9) "highway" means the driveable surface of any constructed road;

(10) repealed 7/2/75;

(11) "motorized vehicle" means a motor-driven land, water or air conveyance;

(12) "open season" means the time during which game may lawfully be taken; each period of time prescribed as an open season includes the first and last days of the period prescribed;

(13) "poison" means any substance which is toxic or poisonous upon contact or ingestion;

(14) "raw ivory" means a walrus tusk (upper canine tooth) which has not been endowed with functional, cultural or aesthetic qualities by altering its natural form or surface through carving, drilling, cutting, filing, or engraving; raw ivory is not altered, in the connotation of this definition, by surface polishing or for a head mount; the latter consisting of ivory (tusks) in a skull or part of a skull;

(15) "regulatory year" means July 1 to June 30, inclusive;

(16) "seal pup" means a seal that weighs less than 50 pounds;

[REDACTED]

(18) "small game" means all species of grouse, hares, rabbits, ptarmigan and waterfowl, and Wilson or jacksnipe;

(19) "three-quarter curl horn" means the horn of a mature mountain sheep, the tip of which has grown through three-quarters of a circle (270°) described by the outer surface of the horn, as viewed from the side;

(20) "transport" means shipping, carrying, importing, exporting, or receiving or delivering for shipment, carriage or export;

STATE OF ALASKA  
THE LEGISLATURE  
LEGISLATIVE AFFAIRS AGENCY

POUCH Y - STATE CAPITOL  
JUNEAU, ALASKA 99811  
907-465-3800

MEMORANDUM

February 25, 1983

SUBJECT: Big game hunting by nonresidents  
(HB 188)

TO: Representative John Ringstad  
Chairman, House Resources Committee

FROM: Edward H. Hein *EHH*  
Legislative Counsel

You have asked whether HB 188 raises any additional constitutional issues or problems not present in the existing law that the bill amends.

HB 188 repeals and reenacts AS 16.05.407. The only substantive change the bill makes is to allow an Alaska resident over 19 years of age to accompany his or her nonresident in-laws without a guide while hunting brown bear, grizzly bear, polar bear or sheep. Under existing law, the nonresident must be related to the resident by blood within the second degree of kinship in order to hunt without a guide. Under this bill, the relationship between the resident and the nonresident, whether by blood or marriage, would still have to be within the second degree of kinship. This includes the parents, grandparents, brothers and sisters, children and grandchildren of the resident or the resident's spouse.

The change proposed by this bill does not affect the constitutionality or unconstitutionality of AS 16.05.407.

EHH:ljb

THE LEGISLATURE OF THE STATE OF ALASKA  
THIRTEENTH LEGISLATURE

FISCAL NOTE

I. REQUEST

Bill/Resolution No. HB 188

Title An Act relating to big game hunting by nonresidents

Requested by Ringstad

Date 2/25/83

II. FISCAL DETAIL

Agency Affected Department of Fish and Game

Program Category Affected \_\_\_\_\_

BRU, Program, Or Subprogram(s) Affected Game

(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 83	FY 84	FY 85	FY 86	FY 87	FY 88
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL	0	0	0	0	0	0

FUNDING (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER (Specify Source)						
	0	0	0	0	0	0

POSITIONS

FULL TIME						
PART TIME						
TEMPORARY						
	0	0	0	0	0	0

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

IV. DATE 2/25/83

PREPARED BY

*Robert A. Hinman*  
Robert A. Hinman

AGENCY

Department of Fish and Game

Original: Legislative Finance

PHONE 465-4190

cc: Budget and Management

Prime Sponsor (First Legislator Named)

33-001 (Rev. 12/82)

STATE OF ALASKA  
FISCAL NOTE

Revision Date \_\_\_\_\_, 1983

I. REQUEST

Bill/Resolution No.: HB 188  
 Title: "Big Game Hunting by Nonresidents"  
 Sponsor: Representative Ringstad  
 Requestor: House Judiciary

II. FISCAL DETAIL

Agency Affected: Public Safety  
 Program Category Affected: F&WP  
 BRU, Program of Subprogram(s) Affected: Fish & Wildlife Protection

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 83	FY 84	FY 85	FY 86	FY 87	FY 88
<b>OPERATING</b>						
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC						
<b>TOTAL OPERATING</b>		-0-	-0-	-0-	-0-	-0-
<b>CAPITAL</b>						
<b>REVENUE</b>						

FUNDING: (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER (Specify Source)						

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

III. SOURCE OF FUNDS TO OFFSET FISCAL IMPACT OF BILL:

IV. ANALYSIS: Attach a separate page for any Analysis No fiscal impact anticipated

Prepared By: Paul A. Conder Phone: 465-4338  
 Division: Administrative Services Date: 3/22/83

Approved by Commissioner: [Signature] Date: 3/22/83  
 Department: Public Safety

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